

# FEDERAL REGISTER

THE NATIONAL ARCHIVES  
OF THE UNITED STATES  
1934

VOLUME 10      NUMBER 9

Washington, Friday, January 12, 1945

## Regulations

### TITLE 30—MINERAL RESOURCES

#### Chapter I—Bureau of Mines, Department of the Interior

##### Subchapter B—Respiratory Protective Apparatus; Tests for Permissibility; Fees

[Schedule 23]

#### PART 14A—NONEMERGENCY GAS RESPIRATORS (CHEMICAL CARTRIDGE RESPIRATORS)

**Preliminary statement:** The Bureau of Mines is prepared at its Central Experiment Station, Pittsburgh, Pa., to conduct tests of nonemergency gas respirators (chemical cartridge respirators) for the purpose of determining their permissibility for use in air containing limited concentrations of certain irrespirable gases and vapors with or without particulate contaminants (dusts, fumes, and mists).

This Part 14A does not provide for the approval of respirators designed for protection against particulate contaminants alone. That is done by Part 14, entitled "Filter-type Dust, Fume and Mist Respirators," of this Subchapter B.

This Part 14A is issued for the information and guidance of those who may desire to submit nonemergency gas respirators for approval and also to inform consumers and other interested persons regarding qualities the Bureau believes such devices should have.

The purpose of investigations under this Part 14A is to provide a list of nonemergency gas respirators that meet the Bureau's requirements for safety, efficiency, and durability in their fields of industrial use.

Lists of permissible nonemergency gas respirators will be published from time to time for the guidance of consumers.

The authority for conducting these tests is contained in an act of Congress (37 Stat. 681) approved February 25, 1913, and amended June 30, 1932 (47 Stat. 410) and in Executive Order 6611, February 22, 1934. The act, as amended, and as modified by the Executive order, reads in part as follows (30 U.S.C. 5, 7):

The Director of the Bureau of Mines shall prepare and publish, subject to the direction of the Secretary of the Interior, under the appropriations made from time to time by Congress, reports of inquiries and investigations, with appropriate recommendations of the bureau, concerning the nature, causes, and prevention of accidents, and the improvement of conditions, methods, and equipment, with special reference to health, safety, and prevention of waste in the mining, quarrying, metallurgical, and other mineral industries; the use of explosives and electricity, safety methods and appliances, and rescue and first-aid work in said industries; the causes and prevention of mine fires; and other subjects included under the provisions of this act.

For tests or investigations authorized by the Secretary of the Interior under the provisions of this act, other than those performed for the Government of the United States or State governments within the United States, a fee sufficient in each case to compensate the Bureau of Mines for the entire cost of the services rendered shall be charged, according to a schedule prepared by the Director of the Bureau of Mines and approved by the Secretary of the Interior, who shall prescribe rules and regulations under which such tests or investigations may be made. All moneys received from such sources shall be paid into the Treasury to the credit of miscellaneous receipts.

- Sec.
- 14a.1 Definition of a permissible non-emergency gas respirator (chemical cartridge respirator).
- 14a.2 Types of nonemergency gas respirators.
- 14a.3 Maximum concentration for which type B or BE nonemergency gas respirators will be approved.
- 14a.4 Instructions for submitting equipment and conditions under which nonemergency gas respirators will be tested.
- 14a.5 Requirements for Bureau of Mines approval.
- 14a.6 Changing details of tests.
- 14a.7 Notification of approval or disapproval.
- 14a.8 Approval markings.
- 14a.9 Material required for Bureau of Mines record.
- 14a.10 Changes subsequent to approval.
- 14a.11 Withdrawal of approval.
- 14a.12 Revision of requirements.

**AUTHORITY:** §§ 14a.1 to 14a.12, inclusive, issued under 37 Stat. 681, as amended by act.

(Continued on next page)

## CONTENTS

### REGULATIONS AND NOTICES

<b>COAST GUARD:</b>	Page
Tank vessels, inspection prior to making repairs.....	435
<b>FEDERAL COMMUNICATIONS COMMISSION:</b>	
Katzenline, A. Frank, hearing.....	436
<b>GENERAL LAND OFFICE:</b>	
Colorado, reduction and revocation of withdrawals for forest administrative sites.....	436
Harding, Fla., sale of unsold lots.....	436
<b>INTERSTATE COMMERCE COMMISSION:</b>	
Anthracite coal, produced by Marlson Coal Co., loading restrictions.....	437
Reconsignment permits:	
Cauliflower, Buffalo, N. Y.....	436
Tomatoes:	
Chicago, Ill.....	436
Kansas City, Mo.....	437
<b>MINES BUREAU:</b>	
Respiratory protective apparatus; nonemergency gas respirators.....	433
<b>OFFICE OF DEFENSE TRANSPORTATION:</b>	
Common carriers, coordinated operations:	
Chicago, Ill., Minnesota, and Iowa.....	433
Rhode Island.....	436
Rochester and other points in New York.....	433
Tennessee.....	437
<b>OFFICE OF PRICE ADMINISTRATION:</b>	
Adjustments and pricing orders:	
Acosta, D., & Son.....	436
Alabama Agriculture Experimental Station.....	433
Alvarez, Carlos M.....	433
Bakum, David, Co.....	503
Bayul Cigars, Inc.....	491
Bomber Cigar Co.....	493
Brooks, T. E., & Co.....	496
Cincinnati Cigar Co.....	493
Coast Cigar Co.....	503
Cuesta, Ray & Co.....	491
D. M. C. Cigar Factory.....	497
Garcia & Vega.....	500
Gay Cigar Co.....	493
Gillespie Coal Co.....	493

(Continued on next page)



Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

#### NOTICE

Book 1 of the 1943 Supplement to the Code of Federal Regulations may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per copy. This book contains the material in Titles 1-31, including Presidential documents, issued during the period from June 2, 1943, through December 31, 1943.

#### CONTENTS—Continued

##### OFFICE OF PRICE ADMINISTRATION—Continued.

Adjustments, etc.—Continued.	Page
Gradiaz, Annis & Co., Inc.	495
Head, Clyde R.	497
J & H Cigar Co.	494
K & K Cigar Co.	494
La Favorita Cigar Factory	501
Larson, G. A., and E. M. Truedson	502
Morgan Cigar Co.	495
Neff, H. L., Co.	493
Ness, Ernest E.	491
New York Cigar Co.	498
Penn Cigar Co.	492
Popper, E., & Co., Inc.	500
Reyes, Jose E., & Co.	493
Rival Mfg. Co.	502
Sechrist, Roland L.	498
Silex Co.	503
Tampa Cigar Co.	501
Tampa Port Cigar Co.	492
Traband, Henry, Jr.	496
Trebow Cigar Co.	500
Fuel oil (Rev. RO 11, Am. 4 to Supp. 1)	479

#### CONTENTS—Continued

##### OFFICE OF PRICE ADMINISTRATION—Continued.

Hawaii:	Page
Fountain pens and mechanical pencils (MPR 373, Am. 119)	480
Garbage and swill (MPR 373, Am. 122)	485
Regional and district office orders; community ceiling prices, list of orders filed (2 documents)	504, 505
Virgin Islands, dried beans (MPR 395, Am. 36)	485
SECURITIES AND EXCHANGE COMMISSION:	
Hearings, etc.	
Federal Water and Gas Corp., et al.	505
Scranton-Spring Brook Water Service Co., et al.	505
SOLID FUELS ADMINISTRATION FOR WAR:	
Coal produced in Districts 9 and 10, direction to persons shipping and receiving	473
WAR PRODUCTION BOARD:	
Cotton fabric preference ratings and restrictions (M-317A)	475
Ipecac and emetine (M-300, Sch. 86; M-350, Rev.) (2 documents)	479
Sugar processing machinery and equipment, production restrictions in lieu of quotas (L-292, Quota Sch.-V-A, Corr.)	475
Suspension orders; etc.	
Dawson, J. L.	474
McKelvey, William	474
Winston & Wyatt, Inc.	474

311, 47 Stat. 410, 30 U.S.C. 3, 5, 7, and Executive Order 6611, February 22, 1934.

§ 14a.1 *Definition of a permissible nonemergency gas respirator (chemical cartridge respirator)* A nonemergency gas respirator (chemical cartridge respirator) is a device designed to give respiratory protection against atmospheres which are not immediately dangerous to life but which may produce discomfort, a chronic type of affection or poisoning after repeated exposure, or mild acute symptoms after a prolonged exposure.

The Bureau of Mines considers a non-emergency gas respirator permissible if all the materials and details of construction and the chemical and physical properties of the absorbents are the same in all respects as those of the nonemergency gas respirators that met the requirements and passed the inspection and tests of the Bureau as described in this Part 14A.

Bureau of Mines approval applies only to a complete nonemergency gas respirator and not to integral parts thereof.

§ 14a.2 *Types of nonemergency gas respirators.* Although there are various types of nonemergency gas respirators available, this Part 14A is limited at the present time to those designed to protect against organic vapors or organic vapors, and dusts, fumes, and mists. Con-

sideration will be given to the other types at a future date. It is proposed to classify the various types of nonemergency gas respirators in a manner analogous to that used for similar types of gas masks. The two types considered in this part are:

*Type B.* For protection against organic vapors such as acetone, alcohol, benzene, carbon tetrachloride, ether, formaldehyde, gasoline and petroleum distillates, and toluene.

*Type BE.* For protection against organic vapors, and dusts, fumes, and mists. The type letter E is used to indicate protection against particulate contaminants.

§ 14a.3 *Maximum concentration for which type B or BE nonemergency gas respirators will be approved.* Type B and BE nonemergency gas respirators will be approved for protection against atmospheres containing not more than 0.1 percent by volume (1,000 parts per million, p. p. m.) of organic vapors.

§ 14a.4 *Instructions for submitting equipment and conditions under which nonemergency gas respirators will be tested—(a) Consultation.* Applicants or their representatives may visit or communicate with the Central Experiment Station of the Bureau of Mines at Pittsburgh, Pa., to obtain criticisms of proposed designs or to discuss the requirements of this Part 14A in connection with a device to be submitted. No charge is made for this consultation and no written report will be made to the applicant.

(b) *Application.* Before the Bureau of Mines will undertake the active investigation of any nonemergency gas respirator, the applicant shall have filed an application that contains (1) a description and complete drawings of the device (supplemented by available printed matter) (2) a statement that the device is completely developed and of the design and materials which the applicant believes suitable for a finished marketable device; (3) a statement that the device has been subjected to inspections and tests of the nature described in this Part 14A and that it has met these requirements when tested by the applicant or his testing agency; (4) a statement describing the nature, adequacy, and continuity of control of the quality of the respirator (see paragraph (e) of this section), and (5) a request that the necessary inspections and tests leading to approval be made. No nonemergency gas respirator will be accepted for permissibility tests unless it is substantially in the completed form in which it is to be marketed. Application for tests shall be indicative of this understanding by the applicant. The letter of application shall be addressed to the Director, Bureau of Mines, United States Department of the Interior, Washington 25, D. C. A copy of the letter of application, with two copies of all drawings and printed matter, one copy of the results of the applicant's inspection and tests, and one complete specimen of the device for which approval is desired shall be sent to the Chief Chemist, Health Division, Bureau of Mines, United States Department of the Interior, 4800 Forbes Street, Pittsburgh 13, Pa. On receipt of this

application, descriptive material, test data, and specimen to be tested, the applicant will be notified by the Bureau of Mines of its action on the application, the fee necessary, the material required for test, and any additional information or specifications that are deemed necessary. The applicant shall, in turn, furnish the information and materials necessary, with a certified check, bank draft, or United States postal money order payable to the Treasurer of the United States, to cover the fee for inspection and tests. This fee shall be sent to the Director, Bureau of Mines, United States Department of the Interior, Washington 25, D. C. The information regarding the device and all material for tests shall be sent to the Chief Chemist, Health Division, Bureau of Mines, United States Department of the Interior, 4800 Forbes Street, Pittsburgh 13, Pa. The fee will be placed on special deposit in the Treasury of the United States, pending disposal as hereinafter specified.

(c) *Fees for testing nonemergency gas respirators.* The following fees are charged for testing nonemergency gas respirators under this Part 14A.

1. Type B—Organic vapors, complete respirator	\$120.00
2. Type BE—Dusts, fumes, and mists in combination with organic vapors. Fee in addition to that required for type B:	
Dusts (each type)	50.00
Fumes	50.00
Mists (each type)	20.00
3. Facepiece	20.00
4. Cartridge alone, fee for complete respirator minus fee for facepiece.	
5. Additional tests and examination of respirator in connection with other tests, per man-day required	15.00

If a respirator fails to pass the specified tests and the applicant decided to terminate consideration of the device, a portion of the fee sufficient to cover the work done will be turned into the Treasury of the United States to the credit of miscellaneous receipts and the remainder returned to the applicant. If it is desired to resubmit the respirator for approval after the necessary improvements have been made, an additional fee will be required. The amount of fee charged will be proportional to the additional tests that must be made and will be specified in writing to the applicant in advance of resubmission of the device.

The fees specified herein may be increased to cover the cost of testing a complicated apparatus or performing special tests. The fees are subject to change upon the recommendation of the Director of the Bureau of Mines and the approval of the Secretary of the Interior.

(d) *Drawings and specifications required.* Respirators submitted for approval will not be inspected or tested until a complete description and two full sets of drawings showing all the details of construction have been delivered to the Chief Chemist, Health Division, Bureau of Mines, United States

Department of the Interior, 4800 Forbes Street, Pittsburgh 13, Pa.

The description of the respirator shall include a statement of the chemical composition of the absorbent, which will be kept confidential by the Bureau if so desired by the applicant.

The Bureau of Mines will not be responsible for any disclosure of ideas, principles, or patentable features apparent from visual inspection, because under the terms of the application for tests it is understood that the device is ready for release to public market. Caution will be exercised to prevent disclosure of details of these devices to the public during approval testing.

(e) *Statement concerning chemical control of absorbents.* The capacities of absorbents for gases or vapors may vary over wide limits, depending on the materials used and the conditions under which each lot is manufactured. To maintain the quality of protection equal to that of devices submitted for permissibility tests and to which approval may be granted, the Bureau of Mines considers it necessary that each lot of absorbent produced or obtained by a manufacturer be adequately sampled and tested for capacity before being used in approved nonemergency gas respirators. The Bureau requires a statement with each application for permissibility tests that will show the nature, adequacy, and continuity of control provided by the applicant. If deemed desirable and requested by the Bureau of Mines, the applicant shall grant permission for a representative of the Bureau to inspect the control-test equipment and control-test records and to interview the personnel conducting the control tests. Tests for approval will be made only after the Bureau is satisfied that such control is effective, and approvals once granted will remain in force only while the control is sustained.

(f) *Material required for approval testing.* The number of complete non-emergency gas respirators, cartridges, and other parts required will depend on the type and design of the device. After application for tests is received, the applicant will be notified concerning the material that it will be necessary for him to submit. All materials for test shall be delivered gratis, with transportation charges prepaid by the applicant, to the Chief Chemist, Health Division, Bureau of Mines, United States Department of the Interior, 4800 Forbes Street, Pittsburgh 13, Pa. The Bureau of Mines may retain as its own property any or all material submitted by the applicant that may be required for record. Material not required for record will be available to the applicant and will be returned at his expense on shipping instructions made in writing to the Chief Chemist, Health Division.

(g) *Date for conducting tests.* Tests will be made in the order of fulfillment of pre-test conditions. The applicant will be notified of the date on which tests will be begun. If a device fails to meet any of the requirements, it shall lose its order of precedence. Tests will be re-

scheduled following completion of other approval work in progress at the time both the request and materials for retesting are received. Exceptions may be made only for minor tests and inspections that may be performed simultaneously with other work in the laboratory.

(h) *Witnesses.* No one is to be present at the tests except the necessary Government personnel and representatives of the applicant. If the applicant's representative is not known to the Chief Chemist of the Health Division, he must have credentials showing that he has been authorized by the applicant to witness the tests. Results of tests shall be regarded as confidential by all present at the tests and shall not be made public before their official publication by the Bureau of Mines. The applicant or his representative shall understand and agree that compliance with the request to keep the results of the tests confidential is one of the requirements for approval and maintenance of approval.

§ 14a.5 *Requirements for Bureau of Mines approval.* To obtain the approval of the Bureau of Mines, a Type B or BE nonemergency gas respirator must pass the following inspection and tests:

(a) *Color and markings.* The predominating color of type B cartridge shall be black, in accordance with the color code adopted for gas-mask canisters, to indicate that it affords protection against organic vapors only.

If the cartridge is designed to protect against dusts, fumes, and mists, in addition to organic vapors, a white stripe shall be placed conspicuously on the cartridge to indicate the presence of a special filter. If the filter is not an integral part of the cartridge, the cartridge shall not be marked with a white stripe.

(b) *Materials.* The respirator shall be constructed in all its parts of materials suitable for the purpose they must serve; this applies to the fabric, rubber, metal, chemical, and other parts. All parts (especially rubber) that come into contact with the skin must be of nonirritating composition. All materials used in the construction of facepieces shall be of a composition that will withstand repeated disinfection by methods recommended by the applicant and accepted by the Bureau of Mines. These accepted methods for disinfection shall be described in the instructions for use of the device supplied by the manufacturer.

(c) *Design and construction.* Design, mechanical construction, durability, and workmanship shall be satisfactory from the standpoint of safety of the wearer, freedom of movement, field and clearness of vision, fit of the facepiece, and comfort under all conditions of use. Cartridges and other parts of necessarily short life or period of use shall be easily replaceable, and the tightness of the whole apparatus shall be such as to assure the wearer against leaks of contaminated air after such changes have been made.

(d) *Requirements and tests—(1) Facepieces—(i) General requirements.* The facepiece may be either the half-mask or the mouth-piece type and shall be so

constructed as to assure a quick, gas-tight fit on persons of widely varying facial shapes and sizes. Half-mask facepieces must not interfere with the use of goggles. Mouthpiece types must have a means of preventing nasal inhalation.

An inhalation check valve (or valves) shall be provided to prevent exhaled air from coming in contact with the absorbent or the mechanical filter. An exhalation valve shall also be provided.

The elastic head bands shall be adjustable and replaceable.

(ii) *Tightness test.* Two men, each wearing a complete nonemergency gas respirator for protection against organic vapors, will enter air containing 0.01 percent by volume<sup>1</sup> (100 p. p. m.) of isoamyl acetate vapor. Ten minutes will be spent in work designed to provide observation on freedom from leaks and freedom of movement and comfort allowed the wearers. The time will be divided as follows:

5 minutes: Walking, moving head from side to side, nodding, and bending the body at the waist.

5 minutes: Pumping air with a hand-operated tire pump into a 1-cubic-foot cylinder to a pressure of 25 pounds per square-inch gage, or equivalent work.

To meet the requirements of this test no isoamyl acetate shall be detected in the air breathed, and undue encumbrance and discomfort shall not be experienced because of the fit or other features of the respirator.

(2) *Breathing tube.* If a flexible rubber breathing tube is used, it shall permit free head movement and shall not close off by kinking or by chin or arm pressure, or unduly disturb the wearer.

(3) *Harness.* If a harness is used, it shall be constructed so that it will hold the cartridge securely and comfortably in place against the body of the wearer. It shall permit cartridges to be replaced readily and shall provide for holding the facepiece in the "ready" position when it is not being used.

(4) *Cartridges.* If two cartridges are used in parallel on the respirator, the tests will be performed with the cartridges arranged in parallel and the test requirements will apply to the combination rather than to the individual cartridges.

(i) *Resistance to air flow.* See subparagraph (5) of this paragraph for resistance requirements. If two cartridges are used in parallel on the respirator, their resistance to air flow should be essentially equal.

(ii) *Machine tests.* Cartridges shall meet the requirements of the machine tests as set forth below. These tests are made on an apparatus that is constructed to allow the test atmosphere to enter the cartridges continuously at predetermined concentrations and rates of flow and that has means for determining the life of the cartridges.

(iii) *Low-rate-of-flow and high-rate-of-flow tests.* The test conditions and

requirements for these tests are listed in Table 1.

TABLE 1—REQUIREMENTS FOR MACHINE TESTS

[Relative humidity of test atmosphere: 50 percent. Temperature: Room temperature (approximately 25° C.). Test atmosphere: Carbon tetrachloride vapor, 0.1 percent by volume (1,000 p. p. m.)]

Test	Number of cartridges <sup>1</sup>	Rate of flow of test atmosphere, liters/minute	Maximum allowable leakage, p. p. m.	Minimum life, minutes <sup>2</sup>
Low-rate-of-flow---	3	32	5	90
High-rate-of-flow---	2	64	5	40
Chemical stability---	4	32	5	45

<sup>1</sup> This number refers to pairs of cartridges if two are used in parallel on the respirator.

<sup>2</sup> The values given for minimum life apply to each cartridge or to each pair of cartridges. Tests should be continued until the maximum allowable leakage occurs.

(iv) *Chemical stability.* To determine the chemical stability of the cartridges under dry and humid conditions, four of them will be treated as follows:

Two cartridges or two pairs of cartridges will be individually equilibrated at room temperature<sup>3</sup> by passing carbon dioxide-free air of 25 percent relative humidity through them at a rate of 25 liters per minute for 6 hours.

Two cartridges or two pairs of cartridges will be individually equilibrated at room temperature by passing carbon dioxide-free air of 85 percent relative humidity through them at a rate of 25 liters per minute for 6 hours.

After equilibration, these cartridges will be resealed as received, kept in an upright position at room temperature, and tested within 18 hours under the conditions given in Table 1 for chemical stability.

(v) *Test on cartridges for protection against dusts, fumes, and mists.* Cartridges containing, or having attached to them, filters for protection against dusts, fumes, and mists will be tested according to the requirements of this Part 14A and in addition will be tested according to the requirements of Schedule 21, Part 14, entitled "Testing Filter-Type Dust, Fume, and Mist Respirators," of this subchapter B. However, the maximum allowable inhalation resistance of complete type BE respirators shall be 3 inches (75 millimeters) of water rather than 2 inches (50 millimeters) of water allowed for dust, fume, or mist respirators by Part 14.

(5) *Complete nonemergency gas respirator—(i) Resistance to air flow.* There are no specific requirements for the resistance of the cartridges to air flow; only the resistance of the complete respirator to air flow will be considered. The maximum allowable resistance of the complete respirator to a continuous flow of air at a rate of 85 liters per minute is as follows:

Respirators for protection against organic vapors only: Inhalation, 2.0 inches of water; exhalation, 1.0 inch of water.

(ii) *Man tests.* Complete nonemergency gas respirators will be worn by two

subjects in an atmosphere containing 0.5 percent by volume (5,000 p. p. m.) of carbon tetrachloride vapor.<sup>4</sup>

During this test the subjects will perform the following schedule of exercise:

5 minutes----- Walking vigorously.  
5 minutes----- Sitting at rest.  
10 minutes----- Stationary running and calisthenic arm movements.  
5 minutes----- Sitting at rest.  
5 minutes----- Pumping air with a hand-operated tire pump into a 1-cubic-foot cylinder to a pressure of 25 lb./sq. in. gage, or equivalent work.  
5 minutes----- Sitting at rest.

The test should be continued until the odor of carbon tetrachloride is detected by the subjects, repeating the schedule if necessary.

To meet the requirements of this test the respirators shall give complete respiratory protection to the wearers of 30 minutes. Undue discomfort must not be experienced because of it or other physical or mechanical features of the respirator.

§ 14a.6 *Changing details of tests.* If it is advisable to omit any of the tests or part of a test previously described or to perform accessory tests, the Bureau reserves the right to modify the test in such manner as to obtain substantially the same information and degree of safety as is provided by the tests described. The applicant will be notified of any changes that may be necessary.

§ 14a.7 *Notification of approval or disapproval.* After the Bureau has considered the results of the tests, a formal written notification of approval or disapproval of the nonemergency gas respirator will be supplied to the applicant by the Director of the Bureau of Mines. If the device meets all requirements of this Part 14A, the notification will not be accompanied by test data or detailed results of tests. If the device fails to meet any of the requirements of this Part 14A, notification of such failure will be accompanied by details of the failure with a view to possible remedy of the defect or defects in respirators submitted in the future. Otherwise, results of tests of respirators that fail to meet the requirements will not be made public by the Bureau.

No verbal reports of the Bureau's decisions concerning the investigations will be given and no informal approvals will be granted.

§ 14a.8 *Approval markings.* With formal notification of approval the applicant will receive photographs of designs of official approval labels, one for the complete nonemergency gas respirator and one for the cartridge container. These labels will bear the seal of the

<sup>4</sup> A concentration of 5,000 p. p. m. was chosen to shorten the man-test time to about one-fifth of that required for 1,000 p. p. m. The use of this high concentration under carefully controlled laboratory conditions by experienced personnel does not in any way alter the maximum concentration for which approval will be granted, namely, 0.1 percent (1,000 p. p. m.) of organic vapors.

<sup>1</sup> All concentrations given in this Part 14A have been calculated on a basis of 25° C. and 760 mm. mercury pressure.

<sup>3</sup> For uniformity of test conditions, this temperature should be between 23° and 27° C.



Bureau of Mines and be inscribed in effect as follows:

PERMISSIBLE NONEMERGENCY GAS RESPIRATOR  
OR PERMISSIBLE CARTRIDGE FOR ORGANIC  
VAPORS

Bureau of Mines Approval No. \_\_\_\_\_  
Issued to \_\_\_\_\_  
(Name of manufacturer)

Approved for respiratory protection in atmospheres not immediately dangerous to life and containing not more than 0.1 percent by volume of organic vapors.

Appropriate instruction and caution statements on the use and limitations of the respirator will be included in these labels.

One label shall be reproduced legibly on the outside of the container of the non-emergency gas respirator. The label for the cartridge shall be reproduced legibly on the outside of the container for the cartridges.

The facepiece shall be marked in a legible and permanent manner with the approval number. The cartridge shall be marked legibly with the approval number and a statement essentially as follows: Permissible cartridge for organic vapor only. Approved for respiratory protection in atmospheres not immediately dangerous to life and containing not more than 0.1 percent by volume of organic vapors.

Full-scale designs or reproductions of approval labels and markings and a sketch or description of their position on the device shall be submitted to the Chief Chemist, Health Division, for approval before final adoption.

The labels identify the nonemergency gas respirator and cartridges as being approved and permit the manufacturer to point out that his respirator complies with the requirements of the Bureau of Mines and has been adjudged safe for use under the conditions stated on the approval markings. Permission to place the Bureau's marks of approval on his respirator obligates a manufacturer to maintain the quality of his product and to see that each respirator is constructed in all its parts according to the drawings and records that have been accepted by the Bureau for that respirator and are in the Bureau's files. Nonemergency gas respirators that exhibit changes in design or include parts that have not been approved for use with the respirator are not permissible nonemergency gas respirators and must not bear the Bureau's approval label.

§ 14a.9 *Material required for Bureau of Mines record.* In order that the Bureau may know exactly what it has tested and approved, detailed records of each investigation are kept. These include drawings and actual equipment, as follows:

(a) *Drawings and specifications.* Drawings and specifications submitted with application for tests and final drawings and specifications that the applicant must submit to the Bureau before approval is granted to show the details of the respirator as approved will be retained by the Bureau. The company receiving the approval shall keep an exact duplicate of the set of drawings and

specifications in the Bureau's records. These are to be adhered to in commercial production of the approved device.

(b) *Actual equipment.* If the Bureau so desires, parts of the respirator or a complete respirator used in the tests may be retained as a permanent record of the investigation and of the respirator submitted. Material not required for record will be returned to the applicant at his expense on written shipping instructions to the Chief Chemist, Health Division.

If the respirator is approved, the applicant shall deliver to the Bureau, gratis, one complete respirator in the form in which it is to be sold to serve as a record of the commercial product.

§ 14a.10 *Changes subsequent to approval.* All approvals are granted with the understanding that the manufacturer will make his respirator according to final drawings and specifications submitted to the Bureau. Therefore, before making any change in an approved nonemergency gas respirator, the manufacturer shall first obtain the Bureau's approval of the change. This procedure is as follows:

(a) The manufacturer shall write to the Director, Bureau of Mines, United States Department of the Interior, Washington 25, D. C., requesting an extension of his original approval and stating the change or changes desired. He shall send a copy of the letter, two sets of revised drawings and specifications showing the change in detail, and one each of the parts affected to the Chief Chemist, Health Division, Bureau of Mines, United States Department of the Interior, 4800 Forbes Street, Pittsburgh 13, Pa.

(b) The Bureau will consider the application and inspect the drawings and parts to determine whether it will be necessary to make tests.

(c) If tests are unnecessary, the applicant will be advised by the Director of the approval or disapproval of the change.

(d) If tests are necessary, the applicant will be advised of the fee and material required.

§ 14a.11 *Withdrawal of approval.* The Bureau reserves the right to rescind for cause any approval granted under this Part 14A.

§ 14a.12 *Revision of requirements.* In the preparation of this Part 14A an endeavor has been made to assure that respirators tested and approved according to its requirements will be safe, durable, and practicable devices for the field of use for which nonemergency gas respirators are designed. Should conditions arise which indicate the necessity or desirability of changing the requirements of this Part 14A, such changes will be issued as an amendment to this Part 14A.

R. R. SAYERS,  
Director

Approved: November 13, 1944.

MICHAEL W. STRAUS,  
Acting Secretary of the Interior  
[F. R. Dec. 45-764; Filed, Jan. 10, 1945;  
3:53 p.m.]

## Chapter VI—Solid Fuels Administration for War

### PART 602—GENERAL ORDERS AND DIRECTIVES

#### DIRECTION TO ALL PERSONS SHIPPING AND RECEIVING COAL PRODUCED IN DISTRICTS 9 AND 10

Because the domestic requirements for District 9 and District 10 coal cannot be met unless a drawdown in the stocks of industrial consumers of such coal is effected as an emergency measure for the period from January 15 to January 31, 1945, beyond the extent provided by § 602.517 (b) of SFAW Regulation No. 23, as amended, it is necessary pursuant to SFAW Regulation No. 1, as amended, to issue the following direction:

(1) Notwithstanding the provisions of § 602.517 (b) of SFAW Regulation No. 23, as amended, on and after the effective date of this direction, and during the remainder of January 1945, no industrial consumer shall receive from any shipper an amount of District 9 and District 10 coal in excess of the amount that the shipper is permitted to deliver by paragraph (2) below of this direction.

(2) On and after the effective date of this direction, and during the remainder of January 1945, no shipper shall deliver to any industrial consumer an amount of District 9 and District 10 coal in excess of the percentage of the amount of such coal not shipped as of the effective date of this direction on the order that was placed, in accordance with SFAW Regulation No. 23, with the shipper by such consumer for such month, as determined by the days' supply of the consumer on January 1, 1945, as specified below:

Days' supply as of Jan. 1, 1945:	Maximum percentage of unfilled portion of order that may be filled
Less than 21 days.....	100
21 to 29 days.....	85
30 to 39 days.....	70
40 days or more.....	50

In no event shall the application of the above percentages require the drawdown of the stockpile of an industrial consumer below a 29 days' supply.

(3) No railroad system shall receive from a shipper during January 1945, on and after the effective date of this direction, any coal produced in District 9 and District 10 unless it receives and indicates its willingness to receive during such month railroad locomotive fuel containing up to 15 per cent c. i. " or 1 " screenings, as offered by the shipper.

(4) No person shall be held liable for damages or penalties under any contract for any default which shall result directly or indirectly from compliance with the provisions of this direction.

This direction shall become effective on January 15, 1945.

(E.O. 9332, 3 F.R. 5335; E.O. 9125, 7 F.R. 2719; sec. 2 (a) 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176)

Issued this 10th day of January 1945.

C. J. FORTER,  
Deputy Solid Fuels  
Administrator for War.

[F. R. Dec. 45-723; Filed, Jan. 11, 1945;  
11:22 a.m.]

## TITLE 32—NATIONAL DEFENSE

## Chapter IX—War Production Board

**AUTHORITY:** Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 238 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 8125, 7 F.R. 2718; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

## PART 1010—SUSPENSION ORDERS

[Suspension Order S-674]

J. L. DAWSON

J. L. Dawson of 1600 Ellis Street, Brunswick, Georgia, is engaged in business as a general building contractor. On or about April 4, 1944, he began and thereafter completed construction of a residence, garage and servants' quarters on the premises owned by Arthur N. O'Rourke and located on the Savannah Highway about eight miles from Brunswick, Georgia. The cost of this construction was approximately \$15,000, which amount exceeded the \$200 limit permitted by Conservation Order L-41 and was in violation of that order. On or about July 1, 1944, J. L. Dawson began and carried on construction of a restaurant and connecting entrance in the apartment building located at 1602 Ellis Street, Brunswick, Georgia. The estimated cost of this construction was in excess of \$1000.00, which amount exceeded the \$200.00 limit permitted by Conservation Order L-41 and was in violation of that order. J. L. Dawson was familiar with the provisions of Conservation Order L-41, and the beginning and carrying on of each of these construction jobs without authorization from the War Production Board constituted wilful violations of that order. These violations have diverted critical materials to uses not authorized by the War Production Board, and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.674 *Suspension Order No. S-674.* (a) Neither J. L. Dawson, his successors or assigns, nor any other person, shall do any construction on the premises at 1602 Ellis Street, Brunswick, Georgia, including putting up or altering the structures located on the said premises, unless hereafter specifically authorized in writing by the War Production Board.

(b) For a period of three months from effective date of this order, deliveries of materials to J. L. Dawson, his successors or assigns, shall not directly or indirectly be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve J. L. Dawson, his successors or assigns, from any restrictions, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) Paragraph (a) of this order shall take effect upon issuance and paragraph (b) of the order on the 10th day of January 1945.

Issued this 3d day of January 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-778; Filed, Jan. 10, 1945;  
4:39 p. m.]

## PART 1010—SUSPENSION ORDERS

[Suspension Order S-678]

WILLIAM MCKELVEY

William McKelvey of 523 East Henry Street, Savannah, Georgia, is a building contractor. In January, 1944, he began construction, consisting of alterations and additions, to two night club buildings owned by J. B. Hobbs, near Savannah, Georgia, and known as the Sportsmans Club and the Idle Hour Club; the cost of the construction on each of these buildings was in excess of \$800, which amount exceeded the limit of \$200 permitted by Conservation Order L-41, and was in violation of that order. William McKelvey was familiar with Conservation Order L-41 and his doing this construction without authorization constituted wilful violations of Conservation Order L-41.

These violations of Conservation Order L-41 have diverted critical materials and facilities to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States of America. In view of the foregoing, it is hereby ordered, that:

§ 1010.678 *Suspension Order No. S-678.* (a) For a period of three months from the date this Suspension Order takes effect William McKelvey shall not apply or extend any preference ratings or use any CMP allotment symbols, regardless of the delivery date named in any purchase order to which such ratings may be applied or extended or on which CMP allotment symbols are used, unless hereafter specifically authorized in writing by the War Production Board.

(b) Neither William McKelvey nor any other person shall do any construction on the premises on the Port Wentworth Road known as the Sportsmans Club, or on Ogeechee Road known as the Idle Hour Club, both in or near Savannah, Georgia, including putting up or altering either or both structures, but not including maintenance and repairs as defined in or governed by Conservation Order L-41 as amended from time to time, unless hereafter specifically authorized in writing by the War Production Board.

(c) The restrictions and prohibitions contained herein shall apply to William McKelvey, his successors or assigns, or persons acting in his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) Nothing contained in this order shall be deemed to relieve William McKelvey, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regula-

tion of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(e) The provisions of paragraphs (b), (c) and (d) of this order shall take effect on issuance. The provisions of paragraph (a) of this order shall take effect on January 10, 1945.

Issued this 3d day of January 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-779; Filed, Jan. 10, 1945;  
4:39 p. m.]

## PART 1010—SUSPENSION ORDERS

[Suspension Order S-682]

WINSTON &amp; WYATT, INC.

Winston & Wyatt, Inc., a Virginia corporation, located at 128 West Olney Road, Norfolk, Virginia, is a dealer in commercial and household refrigerators, water heaters, ranges and similar equipment. During the period from December 14, 1943 to August 1, 1944 it accepted delivery of six new industrial or commercial refrigerating or air-conditioning systems pursuant to orders which were not approved orders, in violation of Limitation Order L-38. During the period from December 13, 1943 to August 1, 1944 it sold and delivered nine new industrial or commercial refrigerating or air-conditioning systems pursuant to orders which were not approved orders in violation of Limitation Order L-38. The responsible officers of Winston & Wyatt, Inc. were aware of the provisions of Limitation Order L-38 and their actions constituted wilful violations of that order.

These violations have diverted critical materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States of America. In view of the foregoing, it is hereby ordered, that:

§ 1010.682 *Suspension Order No. S-682.* (a) Winston & Wyatt, Inc. its successors or assigns, shall not for four months from the effective date of this order apply or extend any preference ratings or use any CMP allotment symbols, regardless of the delivery date named in any purchase order to which such ratings may be applied or extended or on which CMP allotment symbols are used.

(b) Nothing contained in this order shall be deemed to relieve Winston & Wyatt, Inc., its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on January 10, 1945.

Issued this 3d day of January 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-780; Filed, Jan. 10, 1945;  
4:39 p. m.]

PART 1226—GENERAL INDUSTRIAL  
EQUIPMENT[Limitation Order L-292, Quota Schedule  
V-A, As Amended Jan. 6, 1945]PRODUCTION RESTRICTIONS IN LIEU OF QUO-  
TAS FOR SUGAR PROCESSING MACHINERY AND  
EQUIPMENT

## Correction

In Federal Register Document 45-519,  
appearing on page 303 of the issue for  
January 9, 1945, the date in the bracketheading should read "Jan. 6, 1945", as set  
forth above.PART 3290—TEXTILE, CLOTHING AND  
LEATHER[Supplementary Order M-317A as Amended  
Jan. 11, 1945]COTTON FABRIC PREFERENCE RATINGS AND  
RESTRICTIONS§ 3290.116 Supplementary Order M-  
317A—(a) Contents of this order. Thisorder M-317A is supplementary to Order  
M-317 and contains Preference Rating  
Schedules and Distribution Schedules re-  
ferred to in that order. These schedules  
apply only to cotton fabrics. (Cotton  
fabrics are included in the definition of  
"cotton textiles" in Order M-317.) Re-  
strictions on the production of cotton  
fabrics appear in Order L-99.

Issued this 11th day of January 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

## AA-2X COTTON FABRIC PREFERENCE RATING SCHEDULE

NOTE: Table amended Jan. 11, 1945.

Preference rating AA-2X is assigned for each group to the processor, merchant and  
user in Column I to obtain deliveries of the cotton textiles in Column II, to be used  
only as specified in Column III.

Group	Column I	Column II	Column III
1	Processor.	Drill. Jean. Leno bag fabrics. Osnaburg. Other special bag fabrics. Print cloth of less than 80 sley. Sheetings: Class A. Class B. Class C.	New textile bags as defined in Conservation Order M-221, and for use there permitted. Paper lined bags. Multi-wall paper bags. Spiral tube shipping con- tainers. Barrel covers.
2	Processor.	Flannel, canton. Print cloth. Sheetings: Class A. Class C. Soft-filled, for napping.	Buffing wheels or buffs.
3	Processor.	Drill. Jean. Print cloth of less than 80 sley. Sheeting: Class C. Twill.	Coated abrasive products.
4	Processor.	Osnaburg. Print cloth of less than 80 sley. Sheetings: Class A. Class B. Class C. Special, not listed in column IV of Limita- tion Order L-99. Special pipe covering fabrics: 38" 54 x 20 4.33. 37" 72 x 20 4.50. Tobacco cloth.	Magnesia, asbestos, fibro glass and other pipe cover- ing.
5	Processor.	Covert. Denim. Drill. Moleskin. Print cloth. Sateen. Sheetings: Class A. Class B. Class C. Suede. Twill. Tobacco cloth.	Safety equipment. This term means equipment and devices designed primarily to promote safety or to pre- vent or reduce accidents, injuries, occupational haz- ards or diseases, including but not necessarily limited to the following articles: 1. Protective occupa- tional safety clothing made only of im- pregnated or coated fabrics for the pur- pose of making it re- sistant against fire, heat, acid or other chemicals or abra- sives; 2. Safety belts, life lines and nets; 3. Gas masks, respirators and other respira- tory protective equipment; 4. Protective hard hats and helmets.
6	Processor.	Drill. Felt, table, double napped. Flannel, canton. Flannel, outing. Meads cloth. Moleskin. Print cloth.	Surgical dressings such as bandage, gauze, adhesive tape, plasters, etc.

## AA-2X COTTON FABRIC PREFERENCE RATING SCHEDULE—Continued

Group	Column I	Column II	Column III
6	Processor—Con.	Sheetings: Class C. Soft-filled for napping. Tobacco cloth. Twill. Velveteen.	
7	Processor.	Drill. Flannel. Netting, knitted. Print cloth. Sateen. Sheeting: Class C. Twill.	Rubber gloves as defined and limited in Rubber Order R-1, as amended Decem- ber 4, 1943, Schedule A, Code 15.
8	Processor.	Drill. Jean. Osnaburg. Print cloth of less than 80 sley. Sateen. Sheetings: Class A. Class C. Twill.	Rubber hose and tubing for safety and industrial pur- poses (including mine and shiphold ventilating tub- ing and fire hose). Rubber packing and gaskets, and other mechanical rub- ber products, as defined and limited in Rubber Order R-1, as amended December 4, 1943, Sched- ule A, Code Nos. 11 and 12. Fabric packings and gaskets.
9	Processor. User.	Osnaburg. Print cloth of less than 80 sley. Sheetings: Class A. Class B. Class C.	Chafar fabrics, flippers, head wraps, liner and wrapper fabrics used in the manu- facture of tires and other rubber products.
10	Processor.	Drill. Lawn. Osnaburg. Print cloth. Sheeting: Class C. Tubing, industrial. Window shade cloth.	Cloth and non-selva tape, of the following kinds for industrial uses only: Canton tape. Corrugated or fibrocard box stay tape. Varnished cambric tape. Varnished cambric cloth for use in Rubber in- dustry. Holland cloth for use in Rubber industry. Separator cloth. Insulating tape. Cable wrapping tape. Friction tape. Pressure sensitive tape. This rating for the cotton textiles in Column II for use in the manufacture of gummed cloth tape, and sealing, supporting, and identifying tape is can- celled, and all applications or extensions as to deliv- eries not made by May 22, 1944, are cancelled.
11	Processor.	Sheeting: Class B.	Varnished cambric to be used only for cannalocks (See Group 10 for list of other fabrics which may be pur- chased with this rating for varnished cambric irrespec- tive of use).
12	Processor.	Drill. Lawn. Print cloth. Sheetings: Class A. Class B. Class C. Twill.	Fabric reinforced laminated plastics, except products containing synthetic rub- ber as defined in Rubber Order R-1.

AA-2X COTTON FABRIC PREFERENCE RATING SCHEDULE—Continued

Group	Column I	Column II	Column III
13	Merchant. User.	Drill. Flannel, canton. Jean. Lawn. Print cloth of less than 80 sley. Sheetings: Class B. Class C. Soft-filled for napping. Tobacco cloth. Twill.	Filter and wrapping cloths used in the manufacture of chemicals and chemical products.
14	Processor.	Print cloth of less than 80 sley.	Blasting caps and fuses.
15	Processor. Merchant. User.	Drill. Flannel. Lono bag fabrics. Osnaburgs. Print cloth of less than 80 sley. Sheetings: Bed. Class A. Class B. Class C. Ticking, woven stripe. Tobacco cloth. Twill.	Agricultural and food pro- cessing uses. Farm equipment: Horse collars and pads. Back bands. Fly nets. Horse and cow blankets. Dairy products equipment. Crop cultivation and har- vesting uses. Meat packers supplies. Glass cloth and incubator crinoline for poultry raising and other farm uses. Filter cloths required in the production of sugar, honey, and vegetable oils.
16	Processor.	Osnaburg. Print cloth. Sheeting: Class C	Membrane waterproofing (asphalt saturated fabric).
17	Processor.	Print cloth of less than 80 sley. Sheeting: Class C. Tobacco cloth.	Waterproof wrapping mate- rials (non-oxidizing cloths impregnated and lami- nated fabrics).
18	Processor.	Lawn. Print cloth. Sheetings: Bed. Class B. Class C. Window shade cloth.	Tracing cloth. Maps for military or military training use.
19	Processor. Merchant.	Drill. Sheeting: Class C. Sateen. Twill.	Dust arrestors used in manu- facturing plants.
20	Processor.	Lawn. Typewriter ribbon cloth.	Typewriter or duplicating ribbons.

AA-3 COTTON FABRIC PREFERENCE RATING SCHEDULE

Preference rating AA-3 is assigned for each group to the processor and user in Col-  
umn I, to obtain deliveries of the cotton textiles in Column II, to be used only as speci-  
fied in Column III. All purchase orders for cotton fabric bearing a preference rating of  
AA-4 assigned by Order M-317 and on Form WPB-2842 which were unfilled on  
August 28, 1944 were re-rated AA-3.

NOTE: The AA-4 preference rating assigned in Order M-385 for woven cotton fabrics  
may only be applied or extended to a producer of colored yarn fabrics.

21	Processor. User (non-profit public institu- tions only).	Blanket lining. Chambray. Corduroy. Cottonade. Covert. Denim. Denim stripes. Drill. Flannel, woven shirting. Gabardine. Hickory stripe. Jean. Moleskin. Pin check. Poplin. Sheetings: Bed. Class A. Class B. Class C. Soft-filled for napping. Sateen. Suede. Tobacco cloth. Twill (other than three leaf). Whipcord.	Men's and boys' work cloth- ing meaning any gar- ments designed for male workers' wear while en- gaged in their occupa- tions but only of the type customarily sold as one of the following: Waistband overalls or dungarees. Bib overalls. Overall jumpers or coats. Blanket-lined overall jumpers or coats. One-piece work suits. Work pants. Work breeches. Cossack jackets. Work shirts. Work aprons. Lined work coats. Doctors', dentists', in- ternes', or orderlies' gowns, suits, or coats. Druggists' coats. Slaughter house work- ers' coats. Butchers', fishhandlers' or dairy workers' coats or apron sets. Cooks' coats. Shop and work caps. NOTE: "Work shirt" means a neck-band type shirt with attached collar.
----	---	--	--

AA-3 COTTON FABRIC PREFERENCE RATING SCHEDULE—Continued

Group	Column I	Column II	Column III
22	Processor.	Drill. Print cloth. Sheetings: Bed. Class B. Class C.	Oilskin jackets, coats, hats or apron overalls. Men's and boys' black rub- berized raincoats.
23	Processor.	Flannel, mitten. Flannel, colored stripe mit- ten. Osnaburg. Print cloth of less than 80 sley. Sheeting: Class C. Tubing. Twill.	Work gloves, meaning any type of hand covering de- signed for workers' wear while engaged in their oc- cupations and of the type customarily sold as such.
24	Processor.	Drill. Flannel, shoe. Gabardine. Jean. Netting, knitted. Osnaburg. Print cloth of less than 80 sley. Sheetings: Class A. Class B. Class C. Sateen. Twill.	Rubber footwear as defined and limited in Rubber Order R-1. All other footwear as defined and limited in Conserva- tion Order M-217.
25	Processor.	Diaper cloths: Birdseye. Gauze. Flannelette. Print cloth of less than 80 sley. Sheeting: soft-filled for nap- ping. Tobacco cloth.	Diapers or finished diaper cloth packaged to consumer distribution.
26	Processor.	Tobacco cloth.	Sanitary napkins.

AA-5 COTTON FABRIC PREFERENCE RATING SCHEDULE

NOTE: Table amended Jan. 11, 1945.

Preference rating AA-5 is assigned for each group to the processor, merchant and user  
in column I, to obtain deliveries of the cotton textile in column II, to be used only as  
specified in column III.

27	User-----	Bedsprads, crinkle. Blankets (including crib). Diapers. Flannelette. Pillow cases. Sheetings: Bed and pillow case. Class A. Class B. Class C. Sheets: Bed. Crib. Towelings: Huck. Terry. Towels: Huck. Terry. Washcloths, terry.	Hospital use.
28	Processor.	Print cloth of less than 80 sley. Tobacco cloth. Window shade cloth.	Book binding cloths.
29	Processor.	Drill. Lawn. Print cloth of less than 80 sley. Sateen. Sheetings: Bed. Class C. Tobacco cloth. Twill.	Artificial leather used for re- placement and maintenance of industrial and public fa- cilities. For manufacture into coated fabrics either for export or for incorporation into: Book covers. Baby carriages. Bicycle and motor cycle seats. Instrument cases. Infants waterproof pan- ties. Sanitary garments. Crib sheets and mat- tresses. Allergic mattress covers and pillow cases. Bathnettes. Water repellent sheeting or sheets for use on beds only. Play pen pads. High chair pads.



AA-5 COTTON FABRIC PREFERENCE RATING SCHEDULE—Continued

Group	Column I	Column II	Column III
29	Processor—Con.		N. B. No person may use the rating assigned for this Group unless he is a person who is in the business of processing the material listed in Column II on his own machinery either into artificial leather or into coated fabrics. Such materials, if obtained by the use of the rating, when processed into artificial leather or coated fabrics may be delivered only on orders bearing a certification that the artificial leather or coated fabric will be used for one or more of the purposes listed in Column III, except that coated fabric may also be delivered on orders bearing a certification that the coated fabric will be exported. Any person acquiring such artificial leather or coated fabric upon an order bearing such certification may not use the material for any purpose other than the permitted use or purpose stated in the certification.
30	Processor, Merchant, User.	Cover cloth. Drill. Feed ribbons. Felt, table, double napped. Net, laundry. Sateen. Sheeting, laundry.	Laundry and dry cleaning operating supplies.
31	Processor.	Print cloth of less than 80 sley. Seconds, shorts and remnants of print cloth 80 sley and higher.	Laundry and dry cleaning tags.

DISTRIBUTION SCHEDULE 1—FINE COTTON GOODS

The percentage obligations in Columns III and IV are to be calculated from the first of each calendar quarter, beginning January 1, 1945.

(a) Column I indicates the corresponding item numbers of the various cotton textiles in this schedule as each appears on Form WPB-659-C (8/16/44).

(b) Column II shows the cotton textiles covered by this schedule.

(c) Column III shows the minimum percentage of the producer's current calendar quarterly production which must be delivered by him against rated export orders for cotton textiles. Only deliveries on purchase orders given in conformity with the procedures described in paragraph (d) (1) of Order M-317 (Cotton Textiles for export) may be credited toward this obligation. Export by or for the United States Army, Navy, Maritime Commission, War Shipping Administration, or the American Red Cross may not be credited toward this obligation.

In calculating the export obligation, the producer shall eliminate his production of cotton textiles wider than 42 $\frac{1}{2}$ ". However, if he receives a rated export order for these goods he must treat it as a rated order, and the delivery shall be credited toward his export obligation relating to narrower goods within the same reference number.

(d) Column IV shows the minimum percentage of the producer's current calendar quarterly production which must be delivered by him against all rated orders (including those specified in column III). The producer, however, is not relieved from the necessity of filling additional rated orders which are served upon him in accordance with War Production Board regulations. Where the percentage in column IV amounts to 100, unless otherwise specified, seconds which are produced in the normal course of manufacture may be disposed of without regard to this provision to the extent that rated orders are not offered.

(e) The provisions and explanations stated in column V, unless otherwise specified, apply to the producer, intermediate processor, processor, merchant and user and govern the particular cotton textiles, no matter when produced, converted or ordered, and also products containing these textiles. Piece goods referred to in column V include seconds, shorts and remnants, but not rags.

NOTE: Distribution Schedule 1 amended Jan. 11, 1945.

Reference No.	Column I	Column II	Column III	Column IV	Column V
1	10, 11-----	Combed broadcloths, 37" 128 x 63 and 37" 136 x 60.	10	25	
2	12-----	All other combed broadcloths.	15	20	
3	13-----	Dimities-----	15	15	
4	16, 17-----	Fancy handkerchief fabrics.			
5	25-----	40" 76 x 72 9.00 yd. combed lawn.	10	20	
6	18 through 24, 26, 27.	All other lawns (combed, part combed, and carded).	7 $\frac{1}{2}$	10	
7	28 through 31.	Marquisettes-----	15	15	
8	34-----	Oxfords (except sleeping bag oxford—PQD 444).	10	10	

No. 9—2

DISTRIBUTION SCHEDULE 1—FINE COTTON GOODS—Continued

Reference No.	Column I	Column II	Column III	Column IV	Column V
9	35-----	Piques-----	5	5	
10	36-----	Peppes-----			
11	38, 39-----	Combed poplins (except wind resistant type II—PQD-1A).	10	20	
12	41-----	Combed and part combed satens (except wind resistant 9 oz.—PQD-215D).	10	25	
		Carded satens (average yarn finer than 33s)			
13	42-----	Narrow (under 42")	15	15	
14	43-----	Wide (42" and wider)			
15	44-----	Combed sheeting including made up sheets and pillow cases.			
16	45-----	Shirtings (Jacquard, gray, dobby and colored yarns).	20	20	
17	54, 57-----	Albert and carded twills.	15	15	
18	55-----	Combed gabardines.	15	20	
19	59-----	All other combed twills except those specified in Ref. No. 53.	15	60	
20	58-----	Tracing cloth.			
21	59-----	Typewriter ribbon cloth.		60	
22	60-----	Velvets.	15	15	
23	61, 62 and 100 in Form WPB-659-B.	Combination cotton and rayon fabrics, 60% or more cotton.	15	15	
24	63-----	All other combed, part-combed and fine carded fabrics (yarns finer than 33s).	10	10	
25	1 through 9, 14, 15, 22, 33, 37, 43, 46, 47 through 53, 54.	Airplane fabrics and balloons; combed duck; crumpee cloth; insect netting; marquisette (PQD-220); wind resistant poplins, type II (PQD-1A); Oxford for sleeping bags (PQD-444); wind resistant satens 9 oz. (PQD-215-D); twill, combed, Army 6 oz. shirting twill (6-311), Army 8.2 oz. uniform twill (6-311b), Navy twills, Marine Corps twills (Marine Corps specifications).		75	Except for seconds, shorts, remnants and rags, these cotton textiles, as piece goods, may not be delivered by the producer for export.

DISTRIBUTION SCHEDULE 2—CARDED GRAY GOODS, COLORED YARN AND NAPPED FABRICS AND SPECIALTIES

The percentage obligations in Columns III and IV are to be calculated from the first of each calendar quarter, beginning January 1, 1945.

(a) Column I indicates the corresponding item numbers of the various cotton textiles in this schedule as each appears on Form WPB-659-B (8/16/44).

(b) Column II shows the cotton textiles covered by this schedule.

(c) Column III shows the minimum percentage of the producer's current calendar quarterly production which must be delivered by him against rated export orders for cotton textiles. Only deliveries on purchase orders given in conformity with the procedures described in paragraph (d) (1) of Order M-317 (Cotton Textiles for export) may be credited toward this obligation. Export by or for the United States Army, Navy, Maritime Commission, War Shipping Administration, and American Red Cross may not be credited toward this obligation.

(d) Column IV shows the minimum percentage of the producer's current calendar quarterly production which must be delivered by him against all rated orders (including those specified in column III). The producer, however, is not relieved from the necessity of filling additional rated orders which are served upon him in accordance with War Production Board regulations. However, where the percentage in column IV amounts to 100, unless otherwise specified, seconds, shorts, remnants, or rags, which are produced in the normal course of manufacture may be disposed of without regard to this provision to the extent that rated orders are not offered.

(e) The provisions and explanations stated in column V, unless otherwise specified, apply to the producer, intermediate processor, processor, merchant and user and govern the particular cotton textiles, no matter when produced, converted or ordered, and also products containing these textiles. Piece goods referred to in column V include seconds, shorts and remnants, but not rags.

NOTE: Distribution Schedule 2 amended Jan. 11, 1945.

Reference No.	Column I	Column II	Column III	Column IV	Column V
23	1 through 8.	Shirting and clothed satens and medium yarn fabrics (oppres. 1s to 27s)			
27	9-----	Ornamburs-----	5	100	See footnote 1.
28	10-----	Long bag fabrics-----		100	
29	11-----	Special bag fabrics-----		100	
30		Bag coverings (for cotton, cloth, etc.).			

DISTRIBUTION SCHEDULE 2—CARDED GRAY GOODS, COLORED YARN AND NAPPED FABRICS AND SPECIALTIES—Continued

Reference No.	Column I	Column II	Column III	Column IV	Column V
		<i>Class B sheetings</i>			
30	22.....	40" 48 x 40 3.75 yd.....		100	These cotton textiles as piece goods (other than prison made 31" 5 yd.) may not be delivered by the producer for export except to Canada. (See footnote 1.)
31	23.....	37" 48 x 44 4.00 yd.....		100	
32	24.....	36" 48 x 44 4.00 yd.....		100	
33	25.....	31" 48 x 44 5.00 yd.....		100	
34	28.....	32" 38 to 40 x 38 to 40 6.25 yd.....		100	
35	24.....	40" 44 x 40 4.25 yd.....	40	100	Shipment to Canada may not be counted as exports for the purpose of complying with the Column III obligations. (See footnote 1.)
36	14 through 21, 26 through 29.	All Class A and all other Class B sheetings.	15	100	
		<i>Class C sheetings</i>			
37	36.....	40" 56 x 48 4.30 yd.....		100	These cotton textiles, as piece goods, may be delivered by the producer only on ratings assigned in Group 10 of the AA-2X Preference Rating Schedule.
38	34.....	40" 64 x 64 3.15 yd.....		100	The Column III obligations may be met by delivery as selected by the producer of 10% of the aggregate production of Reference Numbers 43 and 44. Every producer of sheets and pillow cases from fabric of his own manufacture shall set aside each month 15% of that part of his production not delivered to fill rated orders, and deliver such 15% only to sleeping car companies, hotels, charitable and welfare organizations not operated for profit, or to merchants who certify in writing that the item will be sold to such purchasers.
39	35.....	40" 60 x 52, 56 x 56 3.60 yd.....		100	
40	30 through 33, 37 through 39, 41.	All other Class C constructions under 42" and wider.	25	65	
41	40, 42.....	Class C constructions, 42" and wider.		75	
42	43, 44, 45.....	Bandoleer and Navy mattress cover fabrics and wide sheeting (PQD Spec. 347A).		75	
		<i>Bed sheeting 48" and wider including made up sheets and pillow cases</i>			
43	47.....	Muslin, Sley of more than 64.	10	25	The Column III obligations may be met by delivery as selected by the producer of 10% of the aggregate production of Reference Numbers 43 and 44. Every producer of sheets and pillow cases from fabric of his own manufacture shall set aside each month 15% of that part of his production not delivered to fill rated orders, and deliver such 15% only to sleeping car companies, hotels, charitable and welfare organizations not operated for profit, or to merchants who certify in writing that the item will be sold to such purchasers.
44	46, 48, 49.....	All other bed sheetings.	10	25	
45	50.....	Pillow tubings.			
46	50.....	Industrial tubing.		75	
47	51.....	Carded poplins (sheeting yarns).	10	30	
48	52.....	Army 8.5 oz. herringbone twill (Army specification No. 6-261).		100	Jeans, as piece goods, may not be delivered by the producer for export.
49	53.....	Marine Corps 9 oz. herringbone twill (Marine Corps specification).		100	
50	54 through 61.	Other three leaf herringbone twills, all drills and jeans.	25	90	
51	62.....	Three leaf pocketing twills 39" 2.58 or 3.00 yd. (Sheeting yarns).	20	20	
52	63.....	Three leaf silesia twills (Sheeting yarns).		40	
53	64.....	Four leaf twill fabrics 8.2 oz. carded uniform twill type IV.	5	65	These cotton textiles, as piece goods, may not be delivered by the producer for export.
54	65.....	All four leaf tent twill constructions (U. S. Army specifications).		100	
55	66.....	Navy twills (Specification 27A-23a—Type C).		100	
56	67, 68.....	All other four leaf twills less than 42 inches.	20	60	
57	69, 70.....	All other four leaf twills 42" and wider.		60	
		<i>Warp and filling satens (Sheeting yarns)</i>			
58	71.....	Narrow (less than 42")	10	10	These cotton textiles, as piece goods, may not be delivered by the producer for export.
59	72.....	Wide (42" and wider)		65	
60	73.....	All other carded twills and satens.	20	20	

DISTRIBUTION SCHEDULE 2—CARDED GRAY GOODS, COLORED YARN AND NAPPED FABRICS AND SPECIALTIES—Continued

Reference No.	Column I	Column II	Column III	Column IV	Column V
		<i>Warp and filling satens (Sheeting yarns)—Con.</i>			
61	74.....	Carded gabardines.....	10	10	May not be used for industrial purposes.
62	75.....	Birdseye diaper cloth.....			
		<i>Print cloth yarn fabrics (approximately 28s to 42s)</i>			
63	76.....	Print cloth yarn fabrics of window shade quality, all counts.		20	These cotton textiles, as piece goods, may not be delivered by the producer for export, and may be delivered by the producer only on orders rated AA-2X or higher.
64	77, 83, 84.....	Plain print cloths, 80 sley and higher.		100	
65	78.....	29" 68 x 72 4.75 yd. and pro rata widths.		75	These cotton textiles, as piece goods, may be delivered by the producer only on ratings assigned under Group 1 of the AA-2X Preference Rating Schedule.
66	78.....	29" 68 x 64 4.85 yd. and pro rata widths.	10	60	
67	79, 80, 81.....	33½" 64 x 56 5.50 yd. and pro rata widths 36" and wider, and 33½" 64 x 60 5.35 yd. and pro rata widths.	10	60	
68	81.....	Pro rata widths to 5.50 yd. under 36"		100	
69	82.....	33½" 60 x 48, 6.25 yd. and pro rata widths.	15	30	
70	83.....	All other plain print cloths less than 80 sley under 36"	10	40	May be delivered by the producer only on orders rated AA-2X or higher. May not be used for industrial purposes.
71	85.....	All other plain print cloths less than 80 sley 36" and wider.	20	30	
72	86.....	Pajama checks.....		100	
73	87.....	Gauze diaper cloth.....			
74	88.....	All other fancy print cloths.	20	20	
75	89.....	Bandage cloth—33½"—44 x 36 8.60 and pro rata widths.		100	May be delivered only for sanitary napkins and milk filters.
76	90.....	Bandage cloths, all other constructions (90 to 72 threads per square inch).	7½	75	
77	91.....	Tobacco and cheese cloths: All widths 20 x 12 constructions.	7½	100	
78	92.....	All widths, 17 to 18 sley, 12 to 14 pick.	7½	100	
79	93.....	All other constructions.....	7½	60	
80	94 through 97.	Carded broadcloth, plain and fancy.	12½	60	These cotton textiles, as piece goods, may not be delivered by the producer for export on contracts accepted by the producer after October 23, 1944.
81	98.....	Carded poplins (print cloth warp yarns) plain and fancy.	12½	60	
82	99.....	Three leaf twills (print cloth yarns).	10	10	
		<i>Colored yarn fabrics denims (basis 28")</i>			
83	100 through 103.	2.45 yd. and heavier.....		100	
84	104 through 107.	3.00 yd. and lighter.....	5	5	Except for prison made these cotton textiles, as piece goods, may not be delivered by the producer for export.
85	108.....	Pinstripes, pinchecks, hickory stripes, etc.	10	90	
86	109 through 112.	Cottonade and suiting coverts.	15	60	
87	113.....	Whipcords and bedford cords.	15	60	
88	114.....	Ginghams.....	20	20	
89	115, 116.....	Seersuckers.....	25	25	
90	117, 118.....	All other cotton suittings.	20	20	
91	119, 120.....	Cotton and rayon suittings 51% or more cotton.	20	20	
92	121 through 123.	Shirting coverts.....	25	60	
93	124.....	Chambrays—36" 3.00 yd.....		100	
94	125.....	All other chambrays and shirtings.	25	25	These cotton textiles, as piece goods, may not be delivered by the producer for export.
95	126.....	Bed tickings.....	12½	12½	

DISTRIBUTION SCHEDULE 2—CARDED GRAY GOODS, COLORED YARN AND NAPPED FABRICS AND SPECIALTIES—Continued

Reference No.	Column I	Column II	Column III	Column IV	Column V
		<i>Towels, Tercelling, Dishcloths, Washcloths and Bathmats</i>			
96	127	Turkish & terry woven	2 1/2	35	
97	128	Huck	2 1/2	20	
98	128	Damask and Jacquard	2 1/2	2 1/2	
99	129	woven, other than terry. Dish towels and other twill and plain woven towels (including all cotton, part linen and part rayon).	2 1/2	2 1/2	
100	130	Dishcloths.			
		<i>Napped fabrics</i>			
101	131	Outing flannels	17 1/2	20	
102	132, 133	Work shirt flannels	20	90	
103	134	Canton flannels		90	
					At least 55% must be delivered by the producer for the manufacture of work gloves.
104	135	Interlining flannels	12 1/2	20	
105	137	Moleskins and suedes	10	20	
106	135, 133	All other napped fabrics except blankets.			Neither gusset patch flannels nor gun patches may be delivered for export.
		<i>Soft filled bedding for napping</i>			
107	13	Under 42"	20	20	
108	13	42" and wider		20	
109	139	Blankets and blanketing, crib.			

DISTRIBUTION SCHEDULE 2—CARDED GRAY GOODS, COLORED YARN AND NAPPED FABRICS AND SPECIALTIES—Continued

Reference No.	Column I	Column II	Column III	Column IV	Column V
		<i>Soft filled bedding for napping—Contd.</i>			
110	140	Cotton blankets other than flannel, other than crib.	17	15	
111	141, 142	Part cotton blankets and blankets other than crib.	27	27	
		<i>Other types of flannel and specialties</i>			
112	143	Cardigan, men's wear (weight 50" 12 to 13 oz. flannel)	5	100	
113	144, 145	All other cardigan	5	2	
114	146, 147	Bed spread (blanket woven cloth)			
115	148	Flanneling		60	
116	149 through 151	Draperies, upholstery, etc., in flannel, cotton, wool, etc.			
117	152, 153	Velvets, velveteens, plushes and other pile fabrics	5	5	
118	154	Table damask			
119	155, 156, 157	All other cardigan except duck.	20	20	

NOTE 1. In the case of cardigan (Reference No. 26) and Class A and B sheetings (Reference Nos. 20 to 25 inclusive), second, and thirds (29 yards or over) may not be delivered against unratified orders. Pieces shorter than 20 yards to the extent that ratified orders are not filled, may be delivered against unratified orders.

[F. R. Doc. 45-780; Filed, Jan. 11, 1945; 11:25 a. m.]

## PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 86]

## IPECAC AND EMETINE

§ 3293.1086 *Schedule 86 to General Allocation Order M-300—(a) Definitions.*

(1) "Ipecac" means the dried rhizome and roots of *Cephaelis Ipecacuanha*, known as Rio Matto Grosso, or Brazilian Ipecac, and includes but is not limited to, the other varieties known as Cartagena, Nicaragua or Panama Ipecac. The term includes any uncompounded form of ipecac but does not include dosage forms (pills, tablets, capsules, ampuls, etc.)

(2) "Emetine" means the alkaloid of that name isolated from ipecac, or prepared synthetically. The term includes any compound of emetine, including, but not limited to, emetine hydrochloride, but does not include dosage forms (pills, tablets, capsules, ampuls, etc.)

(b) *General provisions.* Ipecac and emetine are subject to the provisions of General Allocation Order M-300 as Appendix B materials. The initial allocation date is November 1, 1943, when ipecac and emetine first became subject to allocation under Order M-350 (revoked). The allocation period is the calendar month. The small order exemption without use certificate is 25 pounds of ipecac and one ounce of emetine per person per month.

(c) *Transition from M-350.* Regular and interim allocations heretofore issued under Order M-350 are effective under this schedule, but authorizations to deliver are limited in duration as if originally issued under this schedule. Pending applications need not be refilled.

(d) *Suppliers' applications on WPB-2947.* Each supplier seeking authorization to use or deliver shall file application on Form WPB-2947 (formerly PD-602).

Filing date is the 20th day of the month before the proposed delivery month. File separate sets of forms for ipecac and emetine respectively. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-86. The unit of measure for ipecac is pounds and for emetine is ounces. An aggregate quantity may be requested, without specifying customers' names, for delivery on uncertified exempt small orders. Fill in Table II.

(e) *Certified statements of use.* Each person placing purchase orders for delivery of more than 25 pounds of ipecac or 1 ounce of emetine per month from all suppliers, shall furnish each supplier with a certified statement of proposed use, in the form prescribed in Appendix D of Order M-300. End use may be specified as "Medicinal" or in terms of any other specified product. Proposed use may also be specified as "for resale on further authorization", "for resale on exempt small orders", or "for export" (specify destination and export licence number)

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Reports and communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-86.

Issued this 11th day of January 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHILLAN,  
Recording Secretary.

[F. R. Doc. 45-789; Filed, Jan. 11, 1945; 11:23 a. m.]

## PART 3293—CHEMICALS

[Allocation Order M-350, Revocation]

## IPECAC AND EMETINE

Section 3293.536 *Allocation Order M-350* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Ipecac and emetine are subject to allocation under General Allocation Order M-300 as Appendix B materials, subject to Schedule 86 issued simultaneously with this revocation.

Regular and interim allocations heretofore issued under Order M-350 are effective under this schedule, but authorizations to deliver are limited in duration as if originally issued under this schedule. Pending applications need not be refilled.

Issued this 11th day of January 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHILLAN,  
Recording Secretary.

[F. R. Doc. 45-731; Filed, Jan. 11, 1945; 11:23 a. m.]

## Chapter XI—Office of Price Administration

## PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. EO 11, Amdt. 4 to Supp. 1]

## FUEL OIL

Section 1394.9203 (b) (5) is added as follows:

(5) In Zones A-1, B-1, and C-1, the value of one unit represented by coupons numbered "3" on Class 4A sheets, and the value of five units represented by coupons numbered "3" on Class 5A coupon sheets,

19 FR. 1367.

and the value of twenty-five units represented by coupons numbered "3" on Class 6A coupon sheets are hereby fixed at ten (10) gallons, fifty (50) gallons, and two hundred fifty (250) gallons of fuel oil, respectively.

This amendment shall become effective the 14th day of January 1945.

Issued this 11th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-796; Filed, Jan. 11, 1945;  
11:28 a. m.]

#### PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373, Amdt. 119]

#### FOUNTAIN PENS AND MECHANICAL PENCILS IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of Federal Register.\*

Section 76 is added to read as follows:

SEC. 76 *Maximum prices for fountain pens and mechanical pencils at wholesale and retail*—(a) *Articles covered by this section.* (1) This section covers all fountain pens and mechanical pencils (including fountain pen and mechanical pencil sets imported from the Mainland into the Territory of Hawaii) except the following:

(i) Used articles. (These are covered by Maximum Price Regulation No. 429.)

(ii) Articles with barrel or cap of solid gold, platinum, or palladium. (These are covered by the General Maximum Price Regulation for the Territory of Hawaii.)

(iii) Articles imprinted with advertising and which are designed to be given, rather than sold, to the ultimate user. (These are covered by the General Maximum Price Regulation for the Territory of Hawaii.)

(iv) Articles sold as parts of a desk set together with a stand or well. (These are covered by the General Maximum Price Regulation for the Territory of Hawaii.)

(2) For the purposes of this section, a fountain pen is a writing device equipped to hold writing fluid in its barrel; and a mechanical pencil is a writing device equipped with a mechanism for propelling a movable core of marking material. In the case of a fountain pen customarily sold with renewable or replaceable points which screw into the section or barrel, the term "fountain pen" includes both the holders and the points, even though they may be sold separately.

(3) Whenever the terms "fountain pen" and "mechanical pencil" are hereafter used in this section, they include only those articles which are covered by this section.

(b) *Transactions covered by this section*—(1) *Wholesalers and retailers.* This section applies to all sales and deliveries at wholesale and at retail of fountain pens and mechanical pencils imported from the Mainland into the Territory of Hawaii.

(2) *Purchasers in the course of trade or business.* This section also covers every purchase in the course of trade or business in connection with a sale covered by this section.

(c) *Wholesalers' maximum prices.* The maximum price at which wholesalers may sell or deliver fountain pens and mechanical pencils shall be the lowest of the following amounts:

(1) The retail ceiling price for the particular article set forth in paragraph (p) or approved under paragraph (d) of this section, less the customary discount granted by the wholesaler, during April, 1942, on sales of the same or similar article of the same make to the same class of purchaser and on the same terms and conditions of sale; or

(2) The retail ceiling price for the particular article set forth in paragraph (p) or approved under paragraph (d) of this section, less 33 1/3%, or

(3) 133 1/3% of the wholesaler's net invoice cost plus incoming transportation costs paid by the wholesaler; or

(4) 133 1/3% of the manufacturer's ceiling price to purchasers of the wholesaler's class, plus incoming transportation costs paid by the wholesaler.

(d) *Wholesaler's applications for retail ceiling prices.* On and after January 1, 1945, a wholesaler may not sell or deliver a fountain pen or mechanical pencil which is not listed in paragraph (p) until he has applied by letter to the Office of Price Administration, Honolulu, 2, T. H. and until a retail ceiling price has been approved for the article, under this paragraph in line with the level of retail ceiling prices established by this section. The application must set forth a complete description of the article, the model designation, his supplier's name and address, the name of the manufacturer (if known), his acquisition cost, and a proposed retail ceiling price.

The proposed retail ceiling price shall be deemed approved 20 days after mailing the application (or all additional information which may be requested) unless within that time the Office of Price Administration notifies the seller that his proposed price has been disapproved.

(e) *Wholesalers' invoices.* Every wholesaler selling fountain pens or mechanical pencils, must furnish each purchaser for resale with an invoice or other similar written evidence of purchase showing the date of purchase, the seller's name and address, the terms of sale, the model designation, the quantity purchased, the price charged per unit, the retail ceiling price for the article listed in paragraph (p) or approved under paragraph (d), and the name and address of the buyer. This invoice must be kept by every person who buys any fountain pen or mechanical pencil for resale and a copy shall be kept by every wholesaler for inspection by the Office of Price Administration.

(f) *Retail ceiling prices.* The maximum price (exclusive of any taxes) for the sale at retail of a fountain pen or mechanical pencil is the retail ceiling price for the article listed in paragraph (p) or approved under paragraph (d) or paragraph (h) of this section.

(g) *Retail sales and tagging.* On and after January 1, 1945, a retailer may not offer for sale, sell, or deliver any fountain pen or mechanical pencil unless the manufacturer's firm name or brand name, the model designation of the article, and its retail ceiling price as listed in paragraph (p) or as approved under paragraph (d) or paragraph (h) of this section have been affixed to the article either by permanent imprinting or engraving on the exterior surface of the article, or by a tag or band containing that information.

If a tag or band is attached to the article it may not be removed until the article has been sold at retail.

(h) *Retailer's applications for retail ceiling prices.* On and after January 1, 1945, a retailer may not offer for sale, sell, or deliver a fountain pen or mechanical pencil which is not listed in paragraph (p) or for which a retail ceiling price has not been approved under paragraph (d) until he has applied by letter to the Office of Price Administration, Honolulu, 2, T. H., and until a retail ceiling price has been approved for the article, under this paragraph, in line with the level of retail ceiling prices established by this section. The application should set forth a complete description of the article, the model designation, his supplier's name and address, the name of the manufacturer (if known), his acquisition cost, and a proposed retail ceiling price.

The proposed retail ceiling price shall be deemed approved 20 days after mailing the application (or all additional information which may be requested) unless, within that time the Office of Price Administration notifies the seller that his proposed price has been disapproved.

(i) *Charges for credit and other services*—(1) *Credit charges.* Charges for the extension of credit may be added to the retail ceiling prices established by this section only as follows:

(i) Sellers who in April 1942 collected a separately stated additional charge for the extension of credit on sales of fountain pens or mechanical pencils, may collect a charge for the extension of credit on sales under this regulation, not exceeding such charge in April, 1942 on a similar sale on similar terms to the same class of purchaser.

(ii) Sellers who did not so state and collect an additional charge, may collect a charge for the extension of credit only on instalment-plan sales and such charge shall not exceed the separately stated additional charge collected for the extension of credit on a similar sale on similar terms to the same class of purchaser in April 1942 by the seller's closest competitor who made such a separately stated charge. An instalment-plan sale is a sale where the unpaid balance is to be paid in instalments over a period of either six weeks or more from the date of sale in the case of weekly

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 9 F.R. 10420, 13716.

<sup>2</sup> 8 F.R. 5307, 6362, 14765, 15528; 9 F.R. 579, 4239, 6238, 6817, 12132.





Manufacturer	Brand	Article	Model	Re-tail celling price	Manufacturer	Brand	Article	Model	Re-tail celling price
Eversharp, Inc.		Fountain pen	20, 21, 22	\$12.50	New Diamond Point Pen Co., Inc.		Fountain pen	10	\$1.50
		do	J79	12.75	Nichols Products Co.		do	4	1.13
		do	J70, J71	13.75			Mechanical pencil	2B1, 2B2, 2B3, 2B4	4.25
		do	48Y, 68Y, 49Y, 78Y	15.00			do	2B5	2.50
		do	J68Y, J78Y	20.00			do	2B6	2.75
		Mechanical pencil	03510 series	.62			do	2B7	2.80
		do	100, 101, 183	1.00			do	2B12	3.00
		do	184, 185	1.50			do	2B13	3.00
		do	172, 173, 174, 175, 194, 195, J194, J195	2.00			do	2B14	6.00
		do	178V	3.00			do	6B17, 6B20	1.10
		do	178, 177, J174, J175	3.75			do	6B1, 6B9, 6B10	.60
		do	176M, 177M, 179	4.00			do	6B2, 6B3, 6B4	.60
		do	160, 170, 161, 171, J176, J177, J179	5.00			do	6B5	.70
		do	J170, J171	6.00			do	6B7	.85
		do	120, 121, 122	6.50			do	6B18	.45
		do	148Y, 168Y, 149Y, 178Y	7.50			do	6B15	.35
		do	J168Y, J178Y	9.50			do	6B16	.40
		do	951P	1.00	Norma Multicolor		Mechanical pencil	501	10.00
		do	851SP	1.55					
		do	951SP	1.65					
		do	951G	2.50					
		Mechanical pencil	1100	.90					
		do	1200	1.00					
		Pen-pencil set	1901SP	3.00					
		do	1901G	3.70					
		Mechanical pencil	33, 66	.24					
		do	1200, 1233	.26					
		do	59	.43					
		do	Deluxe	8.75					
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							
		do							

Manufacturer	Brand	Article	Model	Re- tail price
Bite-Rite Mfg. Co.		Fountain pen	241, 29, 29B, 241, 29RWB, 25, 29, 130.	\$2.25
		do	39, 49B, 49RWB, 49RWB-B, 49, 49B, 49D.	.49
		Mechanical pencil	D75, 314, D75B, 324, 324B, 323, 322B, 323, 320B, 320.	.49
		do	620, 620R	.43
		do	620, 62	.43
		do	75, 75-B, 475, 100C-B.	.75
		do	100, 100B, 100CP, 101, 101B, 101, 122, 132, 600, 600R, 1000-B.	1.00
		do	121	1.25
		do	101	1.75
		do	700SP	.83
Bomeo Products Salz Brothers, Inc.	Lafayette	Fountain pen	101	1.75
		do	700SP	.83
		Mechanical pencil	77P	.49
Scripto Mfg. Co.		Mechanical pencil	701	.49
		Mechanical pencil	77	.49
W. A. Schaeffer Pen Co.	Addipoint	Fountain pen	100	1.00
		do	125	1.25
		Clipper	195	1.25
		Junior	275	2.75
		Clipper	235	2.05
		Craftsman, Miss Universe	320	3.20
		Clipper	395	3.95
		Commandant	460	4.60
		Clipper, Admiral, Milady, Defender	590	5.90
		Sovereign, Vigilant, Lady Schaeffer, Lady Skyboy	575	5.75
		Sky Boy, Military Skyboy, Statesman, Valiant, Premier	1000	10.00
		Tuckaway	1250	12.50
		Triumph, Triumph Tuckaway	1275	12.75
		Lady Crest	1275	12.75
		Crest, Triumph, Crest Tuckaway	1375	13.75
		Triumph Crest	1550	15.50
		Autograph	1650	16.50
		Victory, Serv- ice	1650	16.50
		Lady Auto- graph	1650	16.50
		Autograph, Excellence, Heritage, Tri- umph	2000	20.00
		Mechanical pencil	75	.75
		do	100	1.00
		do	185	1.85
		do	200	2.00
		do	220	2.20
		do	250	2.50
		do	300	3.00
		do	400	4.00
		do	500	5.00
		do	600	6.00
		do	800	8.00
		do	1000	10.00
		do	1200	12.00
		do	1500	15.00
		do	1700	17.00
		do	1900	19.00
		do	2100	21.00
		do	2300	23.00
		do	2500	25.00
		do	2700	27.00
		do	2900	29.00
		do	3100	31.00
		do	3300	33.00
		do	3500	35.00
		do	3700	37.00
		do	3900	39.00
		do	4100	41.00
		do	4300	43.00
		do	4500	45.00
		do	4700	47.00
		do	4900	49.00
		do	5100	51.00
		do	5300	53.00
		do	5500	55.00
		do	5700	57.00
		do	5900	59.00
		do	6100	61.00
		do	6300	63.00
		do	6500	65.00
		do	6700	67.00
		do	6900	69.00
		do	7100	71.00
		do	7300	73.00
		do	7500	75.00
		do	7700	77.00
		do	7900	79.00
		do	8100	81.00
		do	8300	83.00
		do	8500	85.00
		do	8700	87.00
		do	8900	89.00
		do	9100	91.00
		do	9300	93.00
		do	9500	95.00
		do	9700	97.00
		do	9900	99.00
		do	10100	101.00
		do	10300	103.00
		do	10500	105.00
		do	10700	107.00
		do	10900	109.00
		do	11100	111.00
		do	11300	113.00
		do	11500	115.00
		do	11700	117.00
		do	11900	119.00
		do	12100	121.00
		do	12300	123.00
		do	12500	125.00
		do	12700	127.00
		do	12900	129.00
		do	13100	131.00
		do	13300	133.00
		do	13500	135.00
		do	13700	137.00
		do	13900	139.00
		do	14100	141.00
		do	14300	143.00
		do	14500	145.00
		do	14700	147.00
		do	14900	149.00
		do	15100	151.00
		do	15300	153.00
		do	15500	155.00
		do	15700	157.00
		do	15900	159.00
		do	16100	161.00
		do	16300	163.00
		do	16500	165.00
		do	16700	167.00
		do	16900	169.00
		do	17100	171.00
		do	17300	173.00
		do	17500	175.00
		do	17700	177.00
		do	17900	179.00
		do	18100	181.00
		do	18300	183.00
		do	18500	185.00
		do	18700	187.00
		do	18900	189.00
		do	19100	191.00
		do	19300	193.00
		do	19500	195.00
		do	19700	197.00
		do	19900	199.00
		do	20100	201.00
		do	20300	203.00
		do	20500	205.00
		do	20700	207.00
		do	20900	209.00
		do	21100	211.00
		do	21300	213.00
		do	21500	215.00
		do	21700	217.00
		do	21900	219.00
		do	22100	221.00
		do	22300	223.00
		do	22500	225.00
		do	22700	227.00
		do	22900	229.00
		do	23100	231.00
		do	23300	233.00
		do	23500	235.00
		do	23700	237.00
		do	23900	239.00
		do	24100	241.00
		do	24300	243.00
		do	24500	245.00
		do	24700	247.00
		do	24900	249.00
		do	25100	251.00
		do	25300	253.00
		do	25500	255.00
		do	25700	257.00
		do	25900	259.00
		do	26100	261.00
		do	26300	263.00
		do	26500	265.00
		do	26700	267.00
		do	26900	269.00
		do	27100	271.00
		do	27300	273.00
		do	27500	275.00
		do	27700	277.00
		do	27900	279.00
		do	28100	281.00
		do	28300	283.00
		do	28500	285.00
		do	28700	287.00
		do	28900	289.00
		do	29100	291.00
		do	29300	293.00
		do	29500	295.00
		do	29700	297.00
		do	29900	299.00
		do	30100	301.00
		do	30300	303.00
		do	30500	305.00
		do	30700	307.00
		do	30900	309.00
		do	31100	311.00
		do	31300	313.00
		do	31500	315.00
		do	31700	317.00
		do	31900	319.00
		do	32100	321.00
		do	32300	323.00
		do	32500	325.00
		do	32700	327.00
		do	32900	329.00
		do	33100	331.00
		do	33300	333.00
		do	33500	335.00
		do	33700	337.00
		do	33900	339.00
		do	34100	341.00
		do	34300	343.00
		do	34500	345.00
		do	34700	347.00
		do	34900	349.00
		do	35100	351.00
		do	35300	353.00
		do	35500	355.00
		do	35700	357.00
		do	35900	359.00
		do	36100	361.00
		do	36300	363.00
		do	36500	365.00
		do	36700	367.00
		do	36900	369.00
		do	37100	371.00
		do	37300	373.00
		do	37500	375.00
		do	37700	377.00
		do	37900	379.00
		do	38100	381.00
		do	38300	383.00
		do	38500	385.00
		do	38700	387.00
		do	38900	389.00
		do	39100	391.00
		do	39300	393.00
		do	39500	395.00
		do	39700	397.00
		do	39900	399.00
		do	40100	401.00
		do	40300	403.00
		do	40500	405.00
		do	40700	407.00
		do	40900	409.00

[F. R. Doc. 45-794; Filed, Jan. 11, 1945; 11:27 a. m.]

**PART 1418—TERRITORIES AND POSSESSIONS**  
[MPR 373, Amdt. 122]

**GARBAGE AND SWILL IN HAWAII**

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 73 is amended to read as follows:

Sec. 73. *Maximum price for garbage and swill on the Islands of Kauai, Maui, and Oahu.* (a) The maximum price for the sale of garbage and swill on the Islands of Kauai, Maui, and Oahu shall be \$2.00 per ton.

In addition, sellers of garbage may add to this amount any cost of hauling or cartage actually incurred by such seller.

(b) Garbage and swill means any refuse, accumulated or rejected, animal and vegetable matter, liquid or solid, that attends the cleaning, preparation, storage, consumption, spoilage or decay of food, and which is fit for use as feed for animals and poultry.

This amendment shall become effective as of December 29, 1944.

Issued this 11th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-795; Filed, Jan. 11, 1945;  
11:27 a. m.]

**PART 1418—TERRITORIES AND POSSESSIONS**  
[MPR 395, Amdt. 36]

**IMPORTED DRIED BEANS IN VIRGIN ISLANDS**

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 21, Table VIII is amended to read as follows:

TABLE VIII—MAXIMUM RETAIL PRICES FOR CERTAIN  
FRESH AND DRIED FRUIT AND VEGETABLE PRODUCTS

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
Item 1				
Imported dried beans, including garbanzos (chickpeas), all grades	1 lb.	\$0.08	\$0.08	\$0.09

This amendment shall become effective as of January 1, 1945.

Issued this 11th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-793; Filed, Jan. 11, 1945;  
11:27 a. m.]

\*Copies may be obtained from the Office of Price Administration.

9 F.R. 8815, 9513, 9907, 10428, 11009, 13264, 14436, 1662, 8931, 14941.

No. 9—3

**TITLE 46—SHIPPING**

**Chapter I—Coast Guard: Inspection and Navigation**

**Subchapter D—Tank Vessels**

**PART 35—OPERATIONS**

**INSPECTION PRIOR TO MAKING CERTAIN REPAIRS**

By virtue of the authority vested in me by R. S. 4405, 4417a, as amended (46 U.S.C. 375, 391a), and Executive Order 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), I find that an emergency exists and the following new regulation to the Tank Vessel Regulations is necessary in the conduct of the war and shall be made effective as of January 15, 1945.

Part 35 is amended by the addition of a new center heading and a new § 35.6-1 which read as follows:

**INSPECTION PRIOR TO MAKING CERTAIN REPAIRS**

§ 35.6-1 *Repairs involving riveting, welding, burning, etc.—TB/ALL.* Riveting, welding, burning or like fire-producing operations shall not be undertaken within or on the boundaries of bulk cargo spaces or in spaces adjacent thereto, until an inspection has been made to determine that such operations can be undertaken with safety. Such inspections shall be made and evidenced as follows:

(a) When in a port in the continental United States, this inspection shall be made by a gas chemist certificated by the American Bureau of Shipping; however, if the services of such certified gas chemist are not reasonably available, the marine inspector of the Coast Guard, upon recommendation of the vessel owner and his contractor, or their representatives, shall select a person who, in the case of an individual vessel, shall be authorized to make the inspection. If the inspection indicates that such operations can be undertaken with safety, a certificate setting forth that fact in writing and qualified as may be required shall be issued by the certified gas chemist or the authorized person before the work is started.

(b) When not in such a port, this inspection shall be made by the senior officer present, who shall make a log entry.

Dated: January 10, 1945.

R. R. WAESCHE,  
Vice Admiral, USCG,  
Commandant.

[F. R. Doc. 45-781; Filed, Jan. 11, 1945;  
10:26 a. m.]

**Notices**

**DEPARTMENT OF THE INTERIOR.**

**General Land Office.**

[Circular 1591]

**TOWNSITE OF HARDING, FLA.**

**REGULATIONS FOR SALE OF UNSELD LOTS**

1. *Statutory authority.* The unsold lots in the townsite of Harding, Florida,

will be offered for sale at not less than their appraised values, to the highest bidders, under authority of section 2381 of the Revised Statutes (43 U.S.C. sec. 712)

2. *Time and place of sale.* The sale will be held at the townsite of Harding, commencing at 10 a. m., on Friday, February 23, 1945.

3. *Lots and prices.* The lots, and the appraised prices, which are the minimum amounts at which the lots will be offered, are shown below:

Block	Lot	Appraisal
3	4	\$5,000
4	1	3,500
5	6	2,500
7	14	3,800
8	2	5,000
10	4	20,000
10	11	13,000

4. *Bids.* Bids may be made in person or by agent but not by mail. Any person may purchase any number of lots for which he is the highest bidder.

5. *Terms.* Purchasers will be required to pay all cash at the time of sale or one-third cash and the balance in two equal annual installments, with interest on the deferred payments at the rate of 4 per cent per annum, until paid. The highest bidder will be required to make payment to the officer in charge of the sale, before the close of business on the day of the sale, by bank draft, certified check, or post office money order, made payable to the Commissioner of the General Land Office. If any bidder to whom a lot is awarded fails to make the payment required on the date of sale, the lot shall be reoffered for sale on the following day.

6. *Evidence of citizenship or incorporation.* Every person purchasing a lot will be required to furnish an affidavit showing that he is a citizen of the United States or has declared his intention to become such. If he is foreign born, the affidavit must show the date of his naturalization or declaration of intention, the title and location of the court in which instituted, and, when available, the number of the document in question. Every corporation purchasing a lot must furnish a certified copy of its articles of incorporation and evidence showing that it is organized under the laws of the United States, or of some State, territory or possession thereof, and that it is authorized to acquire and hold real estate in Florida. Evidence of citizenship or incorporation must be furnished within such reasonable time as may be allowed for that purpose by the officer in charge of the sale.

7. *Conduct of sale.* The sale will be conducted by a representative, or representatives, of the Commissioner of the General Land Office. The officer in charge is hereby authorized to reject any and all bids for any lot and to suspend, adjourn or postpone the sale of any lot or lots to such time or place as he may deem proper.

8. *Transfers.* After partial payment has been made, a purchaser may transfer his interest in the purchase. The trans-

freee, however, will not acquire any greater right in the lot than was had by the original purchaser. When the payments have been completed, final entry and patent will issue in the name of the original purchaser.

9. *Forfeitures.* Any lot may be declared forfeited for failure of the purchaser to make any installment payment when due. After forfeiture has been declared, the lot will be held subject to further disposal at public sale at such time and place and at such appraised price as may be fixed by the Secretary of the Interior.

10. *Combination in restraint of sale.* All persons are warned against forming any combination or agreement which will prevent any lot from selling advantageously, or which will in any way hinder or embarrass the sale. Any person so offending will be prosecuted under section 59 of the Criminal Code of the United States. (18 U.S.C. sec. 113)

(R.S. 453, 2478, 43 U.S.C. secs. 2, 1201)

FRED W JOHNSON,  
*Commissioner*

Approved: December 21, 1944.

OSCAR L. CHAPMAN,  
*Assistant Secretary.*

[F. R. Doc. 45-788; Filed, Jan. 11, 1945;  
11:11 a. m.]

#### COLORADO AND IDAHO

#### REDUCING AND REVOKING CERTAIN, WITHDRAWALS FOR FOREST ADMINISTRATIVE SITES

The orders of the Secretary and the First Assistant Secretary of the Interior of October 26, 1906, and June 19 and December 8, 1908, withdrawing certain lands for use as forest administrative sites, are hereby revoked so far as they affect the following-described lands:

#### COLORADO

#### SIXTH PRINCIPAL MERIDIAN

T. 1 N., R. 72 W.,  
Sec. 4, NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ , and  
N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ ,  
Sec. 5, S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$  and N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ .

The areas described aggregate 130.35 acres, in the Roosevelt National Forest, withdrawn as a part of the Gold Administrative Site.

T. 6 N., R. 72 W.,  
Sec. 9, S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ .

The area described contains 20 acres, in the Roosevelt National Forest, withdrawn as a part of Ranger Station No. 15 (Miller's Fork Administrative Site).

T. 2 N., R. 73 W.,  
Sec. 23, SW $\frac{1}{4}$ SE $\frac{1}{4}$ .

The area described contains 40 acres, in the Roosevelt National Forest, withdrawn as Ranger Station No. 19.

T. 3 N., R. 73 W.,  
Sec. 26, SW $\frac{1}{4}$ NE $\frac{1}{4}$ .

The area described contains 40 acres, in the Roosevelt National Forest, withdrawn as the Allenspark Administrative Site.

T. 10 N., R. 74 W.,  
Sec. 26, SW $\frac{1}{4}$ NE $\frac{1}{4}$  and NW $\frac{1}{4}$ SE $\frac{1}{4}$ .

The areas described aggregate 80 acres, in the Roosevelt National Forest, withdrawn as

a part of Ranger Station No. 38 (Lone Pine Administrative Site).

#### IDAHO

#### BOISE MERIDIAN

T. 58 N., R. 5 W.,  
Sec. 3, SW $\frac{1}{4}$ SW $\frac{1}{4}$ .

The area described contains 40 acres, in the Kaniku National Forest, withdrawn as Ranger Station No. 13 (Gleason Administrative Site).

This order shall not otherwise become effective to change the status of the lands until 10:00 a. m. of the sixty-third day from the date on which it is signed, whereupon the public lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR, 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR, Part 296, to the extent that these regulations are applicable.

OSCAR L. CHAPMAN,  
*Assistant Secretary of the Interior*

JANUARY 4, 1945.

[F. R. Doc. 45-787; Filed, Jan. 11, 1945;  
11:11 a. m.]

#### FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6728]

A. FRANK KATZENTINE

#### NOTICE OF HEARING

In re application of A. Frank Katzentine (WKAT) date filed, September 2, 1944; for construction permit to change frequency, increase power, install new transmitter and directional antenna for night use, and change transmitter location; class of service, broadcast; class of station, broadcast; location, Miami Beach, Florida; operating assignment specified: Frequency, 820 kc; power, 50 kw; hours of operation, unlimited, directional antenna night. File No. B3-P-3690.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing upon the following issue:

1. To determine whether the proposed operation would be in conformity with the provisions of § 3.25 (a) of the Commission's rules and regulations.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of

§§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows:  
A. Frank Katzentine, Radio Station WKAT, 1759 North Bay Road, Miami Beach, Florida.

Dated at Washington, D. C., January 8, 1945.

By the Commission.

[SEAL]

T. J. SLOWIE,  
*Secretary.*

[F. R. Doc. 45-782; Filed, Jan. 11, 1945;  
10:34 a. m.]

#### INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 789]

#### RECONSIGNMENT OF TOMATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, January 8, 1945, by Pina & Sons, of car URTX 16736, tomatoes, now on the Wabash Railroad to J. C. Mortiz Co., Philadelphia, Pennsylvania (PRR).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of January 1945.

V. C. CLINGER,  
*Director,*  
*Bureau of Service.*

[F. R. Doc. 45-784; Filed, Jan. 11, 1945;  
10:53 a. m.]

[S. O. 70-A, Special Permit 790]

#### RECONSIGNMENT OF CAULIFLOWER AT BUFFALO, N. Y.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Buffalo, N. Y., on or after January 4, 1945, by J. T. Osborne, Agent N. K. P. Railroad, of car PFE 35260, cauliflower, now on the N. K. P. Railroad to Peter



Martori Sons, Inc., destination unknown (Erie RR).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of January 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-785; Filed, Jan. 11, 1945;  
10:53 a. m.]

[S. O. 70-A, Special Permit 791]

#### RECONSIGNMENT OF TOMATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, January 8, 1945, by E. E. Fadier, of car PFE 24704, tomatoes, now on the K. C. S. Railway, to Haley Neely Vegetable Company, Sioux City, Iowa (CBQ).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of January 1945.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 45-786; Filed, Jan. 11, 1945;  
10:53 a. m.]

[S. O. 272]

#### LOADING OF ANTHRACITE COAL PRODUCED BY MARKSON COAL CO., INC.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 10th day of January, A. D. 1945.

It appearing, that: By petition dated January 6, 1945, from the Assistant Deputy Solid Fuels Administrator, Solid Fuels Administration for War, to the Director,

Office of Defense Transportation, the Assistant Deputy recited that on December 30, 1944, the Solid Fuels Administration for War prohibited shipments of anthracite with an ash content exceeding that prescribed in Solid Fuels Administration for War Regulation No. 9 (8 F.R. 15560) produced at Markson Breaker; that the Solid Fuels Administration for War advises further that directions will be issued to retail dealers prohibiting their receipt of coal from this mine with an ash content in excess of that prescribed in such regulation; that this action will result in detention of cars at destination for unloading or other disposition and in a waste of cars and transportation; Solid Fuels Administration requests the Director of the Office of Defense Transportation, and the Director of that office has requested this Commission to prohibit the furnishing, supplying or placing of coal cars at the Markson Breaker, near Valley View, Pennsylvania, for loading of anthracite coal produced by Markson Coal Company, Inc., in the opinion of the Commission an emergency exists requiring immediate action.

It is ordered, That: (a) The Pennsylvania Railroad Company and the Reading Company shall not furnish, supply or place coal cars at Markson Breaker, near Valley View, Pennsylvania, for loading of such coal cars with anthracite coal produced by Markson Coal Company, Inc.

(b) *Effective date.* This order shall become effective at 12:01 a. m., January 11, 1945.

(c) *Expiration date.* This order shall expire at 12:01 a. m., July 1, 1945, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 49 U.S.C. 1 (10)-17)

It is further ordered, That a copy of this order and direction shall be served upon the Pennsylvania Railroad Company and the Reading Company, upon the Pennsylvania Public Utility Commission, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-783; Filed, Jan. 11, 1945;  
10:53 a. m.]

#### OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 475]

##### COMMON CARRIERS

##### COORDINATED OPERATIONS BETWEEN POINTS IN TENNESSEE

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in

Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6639, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, It is hereby ordered, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall

<sup>1</sup>Filed as part of the original document.

be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective January 15, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 11th day of January 1945.

J. M. JOHNSON,  
Director

Office of Defense Transportation.

#### APPENDIX 1

Bond Chadwell Company, Nashville, Tenn.  
C. B. Primm and R. E. Cowan, copartners, doing business as Central Van and Storage Co., Nashville, Tenn.

J. M. Covert, A. V. D. Covert, and J. S. Covert, copartners, doing business as Covert Moving & Storage Company, Nashville, Tenn.

M. D. Ellis, doing business as Ellis Moving Company, Nashville, Tenn.

Robt. E. Lee, doing business as Robt. E. Lee Household Movers, Nashville, Tenn.

The Price-Bass Company, Nashville, Tenn.

Theo. R. Sanders, doing business as Sanders Transfer & Storage Company, Nashville, Tenn.

Bertha D. Shaff, doing business as Shaff Transfer & Storage Co., Nashville, Tenn.

R. H. White, doing business as R. H. White Transfer & Storage Company, Nashville, Tenn.

[F. R. Doc. 45-749; Filed, Jan. 10, 1945; 2:22 p. m.]

[Supp. Order ODT 3, Rev. 481]

#### COMMON CARRIERS

##### COORDINATED OPERATIONS BETWEEN POINTS IN RHODE ISLAND

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal

<sup>1</sup> Filed as part of the original document.

liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective January 15, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 11th day of January 1945.

J. M. JOHNSON,  
Director,

Office of Defense Transportation.

#### APPENDIX 1

Moshassuck Transportation Company, Saylesville, R. I.

Mary L. Maher and James L. Maher, copartners, doing business as M-C-M Transportation Co., Newport, R. I.

Moore's Motor Express, Inc., Pascoag, R. I.  
Joseph DuPont, doing business as DuPont's  
Express, Bristol, R. I.  
Holley's, Inc., Wakefield, R. I.

[F. R. Doc. 45-750; Filed, Jan. 10, 1945;  
2:22 p. m.]

[Supp. Order ODT 3, Rev. 482]

#### COMMON CARRIERS

##### COORDINATED OPERATIONS FROM ROCHESTER TO OTHER POINTS IN NEW YORK

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation

of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective January 15, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 11th day of January 1945.

J. M. JOHNSON,  
Director,

Office of Defense Transportation.

#### APPENDIX 1

E. T. Clark Carting Co., Inc., Rochester, N. Y.

Wm. B. Duffy, doing business as, Wm. B. Duffy Carting Co., Rochester, N. Y.

[F. R. Doc. 45-751; Filed, Jan. 10, 1945;  
2:22 p. m.]

[Supp. Order ODT 3, Rev. 423]

#### COMMON CARRIERS

##### COORDINATED OPERATIONS BETWEEN CHICAGO, ILL., AND PORTS IN MINNESOTA AND IOWA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forth-

<sup>1</sup> Filed as part of the original document.

with shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective January 15, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 11th day of January 1945.

J. M. JOHNSON,  
Director

Office of Defense Transportation.

#### APPENDIX 1

Bernard L. White, doing business as White's Motor Transport, Harmony, Minn.  
Werner Transportation Co., Minneapolis, Minn.

[F. R. Doc. 45-752; Filed, Jan. 10, 1945; 2:22 p. m.]

#### OFFICE OF PRICE ADMINISTRATION.

[Order 71 Under 3 (b), Amdt. 1]

ALABAMA POLYTECHNICAL INSTITUTE

ADJUSTMENT OF MAXIMUM PRICES

Amendment No. 1 to Order No. 71 under Order No. 375 of § 1499.3 (b) of the

General Maximum Price Regulation. Alabama Agriculture Experimental Station of Alabama Polytechnical Institute, Docket No. N-6352-13b-130-7.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, the aforesaid Order No. 71 is amended in the following respects:

1. The text of paragraph (a) which precedes the table is amended to read as follows:

(a) Except as is provided in paragraphs (c) (1) and (c) (2) below, the Alabama Agricultural Experimental Station is hereby authorized to sell to all wholesalers and chain and syndicate stores the following food products (as described in its price application) per case containing the item packed as specified in the quantity below indicated at the indicated maximum price, delivered to the purchaser's customary receiving point:

2. The text of paragraph (b) which precedes the table is amended to read as follows:

(b) Except as is provided in paragraph (c) (1) below the Alabama Agriculture Experimental Station is hereby authorized to sell to all wholesalers and chain and syndicate stores the following Variety Box Assortments (as described in its price application) packed 24 boxes to the case, each box containing the 8 cellophane bag items marked X under the column designating the Variety Assortment (A, B, C, D, E, F G or H) at the maximum price indicated per case, delivered to the purchaser's customary receiving point:

3. Paragraph (c) is amended by adding paragraphs (1) and (2) to read as follows:

(1) In the case of sales where the product is delivered direct to individual chain store retail units, re-orders taken and unsold goods picked up directly from such retail units by the Alabama Agriculture Experimental Station, the Alabama Agriculture Experimental Station is authorized to determine its maximum

prices per dozen in the same manner set forth in paragraph (c). In such sales the individual chain store retail unit shall determine its maximum price for sales to ultimate consumers in the manner provided in paragraph (d) of this order. The Alabama Agriculture Experimental Station shall supply to individual chain store retail units a notice as set forth in paragraph (h) of this order.

(2) The sum of \$0.37 per case may be added to the maximum price set out in paragraph (a) for sales of items shown packed in jars when delivery is made to New York City. Resellers located in the New York City area may add this amount to the prices set out in paragraph (a) when calculating the maximum prices on their sales.

This amendment shall become effective January 11, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-756; Filed, Jan. 10, 1945; 4:05 p. m.]

[MPR 120, Order 1258]

GILLESPIE COAL CO.

#### ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered.*

(a) The Gillespie Mine, a strip mine, of Gillespie Coal Company, Brazil, Indiana, is hereby assigned Mine Index No. 2016, and its coals are classified in Maximum Rail Price Group No. 13 and Maximum Truck Price Group No. 3.

(b) Coals produced by Gillespie Coal Company from the Fourth Vein at its Gillespie Mine, Mine Index No. 2016 located in Greene County, Indiana, in the Linton Sullivan Subdistrict of District No. 11, may be purchased and sold for the indicated uses and movements at per net ton prices in cents per net ton not exceeding the following:

	Size group No.																
	1, 2, 3	4, 5, 6, 8	7	9, 10, 11, 12	17, 18, 19, 20, 21, 22	13, 14	23, 24	25, 26	27, 28	30, 31	15	25	28, 29	32	16	33	34
Rail shipments-----	300	275	250	255	270	205	230	220	225	165	200	185	190	135	175	215	210
Truck shipments----	345	325	290	260	275	240	265	255	260	185	220	205	210	165	210	220	220

#### Railroad Locomotive Fuel

Mine run, modified mine run and all lump and all double-screened coals.... 240  
Screenings, top size not exceeding 2".... 185

(c) The prices established herein are f. o. b. the mine for truck shipments, and f. o. b. the rail shipping point for rail shipments and for railroad locomotive fuel.

(d) All prayers of applicant not granted herein are hereby denied.

(e) This order may be revoked or amended at any time.

(f) Unless the context otherwise requires, the definitions set forth in

§ 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

This order shall become effective January 11, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 10th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-757; Filed, Jan. 10, 1945; 4:05 p. m.]

[MPR 260, Order 463]

CUESTA, REY &amp; CO.

## AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Cuesta, Rey & Co., 2416 N. Howard Avenue, Tampa 1, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Unica.....	Bon Tons.....	50	Per M \$72	Cents 9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given

in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-700; Filed, Jan. 9, 1945;  
4:42 p. m.]

[MPR 260, Order 464]

BAYUK CIGARS, INC.

## AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Bayuk Cigars, Inc., 9th Street & Columbia Avenue, Philadelphia 22, Pa., (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Bellevue Stratford.	Perfectos..... Coronas..... Perfecto Grande.	50 50 50	Per M \$50 50 48	Cents 2for15 2for15 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in

March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-701; Filed, Jan. 9, 1945;  
4:42 p. m.]

[MPR 260, Order 465]

ERNEST E. NESS

## AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Ernest E. Ness, 15-17 E. Main St., Dallastown, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Aircraft.....	Corona size.....	50	Per M \$50	Cents 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a



change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-702; Filed, Jan. 9, 1945;  
4:43 p. m.]

[MPR 260, Order 466]

TAMPA PORT CIGAR CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Tampa Port Cigar Co., 1607 N. Howard Avenue, Tampa 6, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum

list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Anjolo.....	Panetelas.....	50	Per M \$60	Cents 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-703; Filed, Jan. 9, 1945;  
4:45 p. m.]

[MPR 260, Order 467]

PENN CIGAR CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Penn Cigar Co., 113 McConaughy St., Johnstown, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Prime Minister..	Perfecto.....	20	Per M \$60	Cents 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-704; Filed, Jan. 9, 1945;  
4:45 p. m.]

[MPR 260, Order 463]

H. L. NEFF Co.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) H. L. Neff Co., Mason & Charles Sts., Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
White & Gold	Queens	10	Per M \$48	Cents 0

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and

may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-705; Filed, Jan. 9, 1945;  
4:45 p. m.]

[MPR 260, Order 463]

BOMBER CIGAR Co.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Bomber Cigar Co., 7451/2 Wall Street, Los Angeles 14, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Bomber	Fertec	10	Per M \$72	Cents 0

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the

manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-706; Filed, Jan. 9, 1945;  
4:43 p. m.]

[MPR 260, Order 470]

JOSE E. REYES & Co.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Jose E. Reyes & Co., 103 E. Jefferson St., Quincy, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list

price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Los Bravos.....	Los Bravos....	50	Per M \$56	Cents 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-707; Filed, Jan. 9, 1945;  
4:45 p. m.]

[MPR 260, Order 471]

K & K CIGAR Co.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Harry Kleeperts and Herman Kopp, dba K & K Cigar Co., 758 W Broadway (rear) Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Ed Shuter.....	Small Corona..	50	Per M \$48	Cents 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and

be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-708; Filed, Jan. 9, 1945;  
4:46 p. m.]

[MPR 260, Order 472]

J & H CIGAR Co.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) J & H Cigar Co., 219 Broadway, Bethlehem, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
El Composito.....	Standards.....	50	Per M \$48	Cents 6
Gold Cup.....	Hosts.....	50	44	2 for 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the par-

ticular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-709; Filed, Jan. 9, 1945;  
4:46 p. m.]

[MPR 260, Order 473]

MORGAN CIGAR CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Morgan Cigar Co., P. O. Box 1436, Tampa 1, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Juan De Fuca F. Lozano & Sons Don Sebastian	Avengers	Per M 20	\$33.75	Cents 2for25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to pur-

chasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-710; Filed, Jan. 9, 1945;  
4:40 p. m.]

[MPR 260, Order 474]

GRADIAZ, ANNIS & Co., Inc.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Gradiaz, Annis & Company, Inc., 2311 18th St., P. O. Box 1122, Tampa 1, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and pack-

ing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Shogun Roy Lopez	King-Crown	Per M 20	\$31.50	Cents 2for25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-711; Filed, Jan. 9, 1945;  
4:47 p. m.]



[MPR 260, Order 475]

D. ACOSTA &amp; SON

## AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) D. Acosta & Son, 952 E. Broadway, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Itsa-Tampa.....	Queens.....	50	Per M \$141	Cents 3 for 55

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-712; Filed, Jan. 9, 1945;  
4:47 p. m.]

[MPR 260, Order 476]

T. E. BROOKS &amp; CO.

## AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) T. E. Brooks & Company, 31 Pine Street, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
T. E. Brooks & Co's DeLuxe.	Perfecto.....	50	Per M \$56	Cents 7

(b) The manufacturer and wholesaler shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow

the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-713; Filed, Jan. 9, 1945;  
4:47 p. m.]

[MPR 260, Order 477]

HENRY TRABAND, JR.

## AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Henry Traband, Jr., 205 St. Louis Street, Lebanon, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Traband's Snap..	Traband's Snap..	50	Per M \$60	Cents 2 for 10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufac-



turer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-714; Filed, Jan. 9, 1945;  
4:47 p. m.]

[MPR 260, Order 478]

D. M. C. CIGAR FACTORY

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) D. M. C. Cigar Factory, 1005 9th Ave., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maxi-

mum list price and maximum retail price set forth below:

Brand	Size or frontmark	Pack size	Maximum list price	Maximum retail price
DMC	Crown	10	Per M \$1.00	Per M \$1.25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-715; Filed, Jan. 9, 1945;  
4:49 p. m.]

[MPR 260, Order 443]

CLYDE R. HEAD

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Clyde R. Head, Box 171, Belmont, Ohio (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Pack size	Maximum list price	Maximum retail price
Crown	Crown	10	Per M \$1.00	Per M \$1.25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-689; Filed, Jan. 9, 1945;  
4:43 p. m.]

[MPR 260, Order 449]

CARLOS M. ALVAREZ

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Carlos M. Alvarez, 58 S. 2nd Street, Philadelphia 6, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
E Luco.....	Epicure.....	50	Per M \$75	Cents 10.
	Regalia.....	50	75	10
	Senator.....	50	87	8 for 85

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with re-

spect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-690; Filed, Jan. 9, 1945;  
4:43 p. m.]

[MPR 260, Order 450]

NEW YORKER CIGAR CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Morris Blum dba New Yorker Cigar Co., 756 Flushing Avenue, Brooklyn 6, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
New Yorker.....	Fancy Tales...	50	Per M \$164	Cents 20

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless

a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-691; Filed, Jan. 9, 1945;  
4:40 p. m.]

[MPR 260, Order 451]

ROLAND L. SECHRIST

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Roland L. Sechrist, 211 N. Main St., Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic

cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or front-mark	Packing	Maximum list price	Maximum retail price
El Capitán.....	Queen.....	50	Per M \$45	Cents 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-692; Filed, Jan. 9, 1945; 4:44 p. m.]

[MPR 260, Order 454]

#### GAY CIGAR Co.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Gay Cigar Company, 135 S. Adams Street, Quincy, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or front-mark	Packing	Maximum list price	Maximum retail price
Florida Hand			Per M	Cents
Made.....	Perfecto.....	50	\$94	8
Mine.....	Perfecto.....	50	64	8
La Differential..	Perfecto.....	50	64	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in

the manner prescribed by § 1353.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-693; Filed, Jan. 9, 1945; 4:40 p. m.]

[MPR 260, Order 455]

#### CINCINNATI CIGAR Co.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Cincinnati Cigar Company, 1002 Broadway, Cincinnati 2, Ohio (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or front-mark	Packing	Maximum list price	Maximum retail price
La Fina.....	DeLuxe.....	50	Per M \$75	Cents 10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall al-

low the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-694; Filed, Jan. 9, 1945;  
4:41 p. m.]

[MPR 260, Order 456]

GARCIA & VEGA

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Garcia & Vega, 570 Seventh Ave., New York 18, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Garcia & Vega...	Senators.....	50	Per M \$93.75	Cents 2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be

increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-695; Filed, Jan. 9, 1945;  
4:41 p. m.]

[MPR 260, Order 459]

E. POPPER & Co., INC.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) E. Popper & Co., Inc., 315 E. 91st St., New York 28, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Bouquet de Paris...	Ambassador President.....	50	Per M \$133.154	Cents 18 20

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-696; Filed, Jan. 9, 1945;  
4:41 p. m.]

[MPR 260, Order 460]

TREBOW CIGAR Co.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Trebow Cigar Co., 147 S. Fourth St., Philadelphia 6, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Don Arco.....	Queens.....	50	Per M \$105.00	Cents 14
	Epicares.....	50	93.75	2 for 5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

No. 9—5

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-637; Filed, Jan. 9, 1945;  
4:41 p. m.]

[MPR 260, Order 461]

LA FAVORITA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered, That:*

(a) La Favorita Cigar Factory, 2603 17th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Corona.....	Corona.....	50	Per M \$75	Cents 10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most

closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-638; Filed, Jan. 9, 1945;  
4:44 p. m.]

[MPR 260, Order 462]

TAMPA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered, That:*

(a) Francisco Arango III, dba Tampa Cigar Co., 2502 12th St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Tampa Monarch.....	Perles.....	50	Per M \$125	Cents 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars



of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 10, 1945.

Issued this 9th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-699; Filed, Jan. 9, 1945;  
4:42 p. m.]

[MPR 188, Order 3278]

G. A. LARSON AND E. M. TRUEDSON

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered.*

(a) This order establishes maximum prices for sales and deliveries, of a table, a chaise longue frame, a cocktail settee frame, a club chair frame and a love seat frame manufactured by G. A. Larson and E. M. Truedson, 6617 West Blvd., Inglewood, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer

to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Table.....	T-100	Each \$7.22	Each \$8.50
Chaise longue frame..	CL-200	9.77	11.50
Cocktail settee frame..	CS-300	19.75	23.24
Club chair frame.....	CC-400	6.37	7.50
Love seat frame.....	LS-500	9.18	10.80

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated August 23, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price set forth below, f. o. b. factory:

Article and Model No..	Maximum price to retailers (each)
Table, T-100.....	\$8.50
Chaise longue frame, CL-200.....	11.50
Cocktail settee frame, CS-300.....	23.24
Club chair frame, CC-400.....	7.50
Love seat frame, LS-500.....	10.80

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated August 23, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this

order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 11th day of January, 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-758; Filed, Jan. 10, 1945;  
4:09 p. m.]

[MPR 188, Order 3280]

RIVAL MANUFACTURING CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188, and section 9.3 of Revised Supplementary Regulation No. 14; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of an orange juice extractor known as the Juice-O-Mat Juicer manufactured by the Rival Manufacturing Company, 2423 East 15th Street, Kansas City, Missouri, as follows:

(1) For all sales and deliveries by the manufacturer to the classes of purchasers listed below, since Maximum Price Regulation No. 188 became applicable to those sales and deliveries, the maximum prices are those set forth below:

Article	Model	Maximum price to jobbers	Maximum price to retailers
Orange juice extractor..	Juice-O-Mat..	Each \$1.97	Each \$2.37

These prices include delivery in the case of sales of 24 or more units and are subject to the manufacturer's customary terms, discounts and allowances in effect in March 1942 on sales to each class of purchaser.

For sales to any other class of purchaser or on other terms and conditions of sale, the manufacturer's maximum prices must be determined by applying to the prices established by this order the discounts, allowances, and other price differentials which he made during March 1942 on sales of the same type of article to that other class of purchaser and on those terms and conditions. If the manufacturer did not make such sales during March 1942, he must apply to the Office of Price Administration, Washington 25, D. C., under the fourth pricing method, § 1499.158, for the establishment of maximum prices for those sales, and no sale or delivery may be made until authorization has been received from this Office.

(2) For all sales and deliveries by jobbers to the classes of retailers listed below on and after the effective date of

this order, the maximum prices are those set forth below:

Article	Model	Maximum price to department stores	Maximum price to other retailers
Orange juice extractor	Juice-O-Mat	Each \$2.37	Each \$2.63

These prices are subject to the seller's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles to each class of purchaser.

(3) For all sales and deliveries by any person to an ultimate consumer on and after the effective date of this order, the maximum price is \$3.95 each.

(b) To every Juice-O-Mat Orange Juice Extractor shipped to a purchaser for resale on or after the effective date of this order, the manufacturer shall attach a tag or label containing the following statement:

OPA Retail Ceiling Price—\$3.95.  
Do Not Detach.

(c) This order may be revoked or amended by the Price Administrator at any time.

This Order No. 3280 shall become effective on the 11th day of January 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-759; Filed, Jan. 10, 1945; 4:09 p. m.]

[MPR 183, Order 3281]

DAVID BALZAM CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 183, *it is ordered*:

(a) The maximum prices for all sales and deliveries by the David Balzam Company, 116 East Moshulu Parkway, S., Bronx, New York, of chrome bowl heaters of its manufacture, as described in its application dated December 8, 1944, are as follows:

Article	Model	Maximum price to jobber	Maximum price to retailer (3 units or more)	Maximum price to retailer (less than 3 units)
Bowl heater	13" round	Each \$2.42	Each \$2.63	Each \$3.03

These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days. They include the Federal excise tax.

(b) The maximum prices for all sales and deliveries at wholesale for the bowl

heater described in paragraph (a) above shall be the prices set forth below as follows:

Article	Model	Maximum price to jobber (3 units or more)	Maximum price to retailer (less than 3 units)
Bowl heater	13" round	Each \$2.00	Each \$3.03

These prices are f. o. b. seller's city and are subject to terms, discounts and allowances no less favorable than those customarily granted by the seller.

(c) The maximum prices for a sale at retail of the bowl heater described in paragraph (a) above shall be as follows:

Article and Model	Maximum price to user (each)
Bowl Heater, 13" Round	\$4.62

This price includes the Federal excise tax.

(d) On each heater shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail selling price.

(e) At the time of the first invoice, the manufacturer shall notify in writing each purchaser who buys from it of the maximum prices established by this order for resales by the purchaser; and every jobber who sells an article covered by this order to another jobber shall notify that purchaser in writing of the maximum prices established by this order for resales by that purchaser. This written notice may be given in any convenient form.

(f) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(g) This Order No. 3281 may be revoked or amended by the Price Administrator at any time.

This Order No. 3281 shall become effective on the 11th day of January 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-759; Filed, Jan. 10, 1945; 4:09 p. m.]

[MPR 183, Order 3282]

THE SILEX CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 183, *it is ordered*:

(a) The maximum prices for all sales and deliveries by The Sillex Company, Hartford, Connecticut, of an automatic steam electric iron of its manufacture as described in its application dated August 2, 1944, are as follows:

Article	Model	Maximum price to consumer for Model SSA Iron, \$15.70 each
Maximum price (in packages of 3 or more Model SSA Irons) to established Sillex Distributors whose annual purchases from the Sillex Company amount to \$25,000.00 or more		\$3.63
Maximum price (in packages of 3 or more Model SSA Irons) to established Sillex Distributors whose annual purchases from the Sillex Company amount to less than \$25,000.00 annually, and to wholesalers		8.23
Maximum price (in packages of 3 or more Model SSA Irons) to direct department store accounts as designated by the Sillex Company in March 1942, other large buyers and persons in that class		8.42
Maximum price (in packages of 3 or more Model SSA Irons) to direct department store accounts as designated by the Sillex Company in March 1942, other large buyers and persons in that class who have a full time Sillex Demonstrator, and also retailers		9.27
Maximum price to retailers who buy less than 3 Model SSA Irons		9.72

These prices are freight allowed in lots of 100 pounds or more, subject to a cash discount of 2% for payment in 10 days, net 30 days. They include the Federal Excise Tax.

(b) The maximum price for a sale at retail of the automatic steam electric iron described in paragraph (a) above shall be as follows:

Maximum price to consumers for Model SSA Iron, \$15.70 each.

This price includes the Federal Excise Tax.

(c) On each iron shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail selling price.

(d) At the time of the first invoice, the manufacturer shall notify in writing each purchaser who buys from it of the maximum prices established by this order for resales by the purchaser; and every jobber who sells an article covered by this order to another jobber shall notify that purchaser in writing of the maximum prices established by this order for resales by that purchaser. This written notice may be given in any convenient form.

(e) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(f) This Order No. 3282 may be revoked or amended by the Price Administrator at any time.

This Order No. 3282 shall become effective on the 11th day of January 1945.

Issued this 10th day of January 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-761; Filed, Jan. 10, 1945; 4:06 p. m.]

[Rev. SR 14, Order 23]

COLIST CIGAR CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant

to section 6.56 (a) (2) (ii) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation, *It is ordered, That:*

(a) Coast Cigar Company, 354 Sixth Street, San Francisco, California, (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each of the following items of scrap chewing tobacco at the appropriate maximum list price and maximum retail price set forth below:

Brand	Variety	Quantity of package contents	Maximum list price per dozen package	Maximum retail price per package
El Camino	Plain	8	\$4.25	38
	do	16	8.25	75
Van Camp	do	8	4.25	38
	do	16	8.25	75
Berko	do	8	4.25	38
	do	16	8.25	75
Falek	do	8	4.25	38
	do	16	8.25	75
Benatar	do	8	4.25	38
	do	16	8.25	75
Brewster	do	8	4.25	38
	do	16	8.25	75

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each item or scrap chewing tobacco for which maximum prices are established by this order, the discounts and allowances they customarily granted during March 1942 on their sales of such item to purchasers of the same class, unless a change therein results in a lower price.

(c) Every retailer shall maintain, with respect to his sales of each item of scrap chewing tobacco for which maximum prices are established by this order, the customary price differentials below the manufacturer's stated retail price allowed by him during March 1942 with respect to such item.

(d) The manufacturer and every other seller (except a retailer) of an item of scrap chewing tobacco for which maximum prices are established by this order, shall notify the purchaser of such maximum prices. The notice shall conform to and be given in the manner prescribed by section 6.56 (d) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation.

(e) Unless the context otherwise requires, the provisions of section 6.56 of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation shall apply to sales for which maximum prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 12, 1945.

Issued this 11th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-797; Filed, Jan. 11, 1945; 11:28 a. m.]

#### Regional and District Office Orders.

#### LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register January 9, 1945.

#### REGION I

Concord Order 18-C, covering poultry in the State of New Hampshire, filed 1:41 p. m.

#### REGION II

Altoona Order 2-F, Amendment 2, covering fresh fruits and vegetables in certain counties in the State of Pennsylvania, filed 1:40 p. m.

Altoona Order 15, Amendment 1, covering dry groceries in the Altoona area, filed 1:40 p. m.

Altoona Order 16, Amendment 1, covering dry groceries in the Altoona area, filed 1:40 p. m.

Binghamton Order 2-F, Amendment 13, covering fresh fruits and vegetables in certain counties in the State of New York, filed 4:35 p. m.

Pittsburgh Order 1-F, Amendment 35, covering fresh fruits and vegetables in certain counties in the State of Pennsylvania, filed 4:35 p. m.

Williamsport Order 2-F Amendment 13, covering fresh fruits and vegetables in certain counties in the State of Pennsylvania, filed 1:45 p. m.

#### REGION III

Lexington Order 2-F, Amendment 57, covering fresh fruits and vegetables in Campbell and Kenton Counties, Ky., filed 1:41 p. m.

Lexington Order 3-C, covering poultry in Owen and Gallatin Counties in the Louisville area, filed 1:42 p. m.

Louisville Order 8-F covering fresh fruits and vegetables in certain counties in the State of Kentucky, filed 1:38 p. m.

Louisville Order 9-F, covering fresh fruits and vegetables in certain counties in the State of Kentucky, filed 1:38 p. m.

Louisville Order 10-F, covering fresh fruits and vegetables in certain counties in the State of Kentucky, filed 1:38 p. m.

Louisville Order 11-F, covering fresh fruits and vegetables in certain counties in the State of Kentucky, filed 1:39 p. m.

#### REGION V

Houston Order 1-F Amendment 35, covering fresh fruits and vegetables in the Houston, Tex., area, filed 1:43 p. m.

Houston Order 3-F, Amendment 24, covering fresh fruits and vegetables in the Houston, Tex., area, filed 1:44 p. m.

Oklahoma Order 2-F, Amendment 12, covering fresh fruits and vegetables in Oklahoma City area, filed 1:42 p. m.

Oklahoma Order 3-F, Amendment 47, covering fresh fruits and vegetables in the Oklahoma City area, filed 1:42 p. m.

San Antonio Order 4-W, Amendment 2, covering community food pricing in the San Antonio area, filed 1:38 p. m.

San Antonio Order 15, Amendment 2, covering dry groceries in certain counties in the State of Texas, filed 1:38 p. m.

#### REGION VI

Duluth-Superior Order 1-F, Amendment 50, covering fresh fruits and vegetables in certain cities and towns in Minnesota, filed 4:35 p. m.

Duluth-Superior Order 1-F, Amendment 51, covering fresh fruits and vegetables in certain cities and towns in Minnesota, filed 1:44 p. m.

La Crosse Order 1-F, Amendment 49, covering fresh fruits and vegetables in certain cities in Wisconsin and Minnesota, filed 1:43 p. m.

La Crosse Order 3-F, Amendment 45, covering fresh fruits and vegetables in certain cities in Wisconsin, filed 1:43 p. m.

La Crosse Order 5-F Amendment 44, covering fresh fruits and vegetables in Rochester, Minn., filed 1:43 p. m.

#### REGION VIII

Portland Order 4-F Amendment 4, covering fresh fruits and vegetables in the Portland area, filed 1:37 p. m.

Portland Order 4-F Amendment 5, covering fresh fruits and vegetables in the Portland area, filed 1:36 p. m.

Portland Order 5-F Amendment 4, covering fresh fruits and vegetables in the Portland area, filed 1:37 p. m.

Portland Order 6-F Amendment 4, covering fresh fruits and vegetables in the Portland area, filed 1:37 p. m.

Portland Order 7-F Amendment 3, covering fresh fruits and vegetables in the Portland area, filed 1:37 p. m.

Portland Order 8-F Amendment 3, covering fresh fruits and vegetables in the Portland area, filed 1:37 p. m.

Portland Order 9-F Amendment 3, covering fresh fruits and vegetables in the Portland area, filed 1:37 p. m.

Portland Order 10-F Amendment 2, covering fresh fruits and vegetables in the Portland area, filed 1:37 p. m.

Portland Order 11-F Amendment 2, covering fresh fruits and vegetables in the Portland area, filed 1:37 p. m.

Sacramento Order 0-2, Amendment 2, covering eggs in certain areas in the State of California, filed 1:24 p. m.

Sacramento Order 2-W, Amendment 5, covering community prices in the Stockton and Sacramento areas, filed 1:25 p. m.

Sacramento Order 1-W, Amendment 5, covering community prices in the Stockton and Sacramento areas, filed 1:25 p. m.

Sacramento Order 15, Amendment 4, covering dry groceries in the Sacramento-Stockton area, filed 1:36 p. m.

Sacramento Order 16, Amendment 4, covering dry groceries in Nevada City, Placerville, Redding, Susanville areas, filed 1:36 p. m.

Sacramento Order 17, Amendment 4, covering dry groceries in the Quincy, Truckee, Yreka area, filed 1:33 p. m.

Sacramento Order 17-F under 3-B, covering community food prices in the Sacramento-Stockton area, filed 1:25 p. m.

Sacramento Order 18-F under 3-B, covering fresh fruits and vegetables in certain counties in the State of California, filed 1:25 p. m.

Sacramento Order 19-F under 3-B, covering fresh fruits and vegetables in certain counties in the State of California, filed 1:25 p. m.

Seattle Order 8-F Amendment 9, covering fresh fruits and vegetables in the Everett, Wash., area, filed 4:37 p. m.

Seattle Order 9-F Amendment 10, covering fresh fruits and vegetables in the Seattle and Bremerton, Wash., area, filed 4:36 p. m.

Seattle Order 10-F, Amendment 9, covering fresh fruits and vegetables in the Bellingham, Wash., area, filed 4:36 p. m.

Seattle Order 11-F, Amendment 9, covering fresh fruits and vegetables in the Olympia, Wash., area, filed 4:36 p. m.

Seattle Order 13-F Amendment 9, covering fresh fruits and vegetables in the Centralia-Chehalis, Wash., area, filed 4:36 p. m.

Seattle Order 15-F Amendment 9, covering fresh fruits and vegetables in the Yakima, Wash., area, filed 4:35 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 45-755; Filed, Jan. 10, 1945; 4:05 p. m.]

## LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register January 9, 1945.

## REGION II

Erne Order 5-W, Amendment 1, covering dry groceries in certain counties in the State of Pennsylvania, filed 4:51 p. m.

Scranton Order 4-F, Amendment 9, covering fresh fruits and vegetables in certain counties in the State of Pennsylvania, filed 4:50 p. m.

Syracuse Order 3-F, Amendment 14, covering fresh fruits and vegetables in certain counties in New York, filed 4:50 p. m.

Syracuse Order 4-F, Amendment 9, covering fresh fruits and vegetables in certain counties in New York, filed 4:50 p. m.

Trenton Order 7-F, Amendment 17, covering fresh fruits and vegetables in Mercer, Middlesex and Monmouth Counties, filed 4:50 p. m.

Trenton Order 25, covering eggs in the Trenton, N. J., area, filed 4:50 p. m.

Trenton Order 26, covering eggs in the Trenton, N. J., area, filed 4:50 p. m.

## REGION III

Columbus Order 9-F, covering fresh fruits and vegetables in certain counties in the State of Ohio, filed 4:52 p. m.

Columbus Order 9-F, Amendment 1, covering fresh fruits and vegetables in the Columbus area, filed 4:52 p. m.

Detroit Order 1-F, Amendment 55, covering fresh fruits and vegetables in certain counties in the State of Michigan, filed 4:52 p. m.

Grand Rapids Order 19, covering poultry in certain counties in the State of Michigan, filed 4:49 p. m.

Lexington Order 1-F, Amendment 63, covering fresh fruits and vegetables in certain counties in the State of Kentucky, filed 4:51 p. m.

Lexington Order 3-F, Amendment 54, covering fresh fruits and vegetables in certain counties in the State of Kentucky, filed 4:51 p. m.

## REGION IV

Jackson Order 4-W, covering dry groceries in the Mississippi area, filed 4:53 p. m.

Jackson Order 17, covering community food prices in the Mississippi area, filed 4:53 p. m.

Jacksonville Order 9-F, Amendment 10, covering fresh fruits and vegetables in the Jacksonville, Fla., area, filed 4:52 p. m.

## REGION V

Wichita Order 2-F, Amendment 13, covering fresh fruits and vegetables in the Wichita, Kans., area, filed 4:54 p. m.

## REGION VI

Springfield Order 1-FS, Amendment 20, covering fresh fruits and vegetables in certain counties in the State of Illinois, filed 4:54 p. m.

## REGION VIII

Fresno Order 1-C, Amendment 1, covering poultry in certain counties in the State of California, filed 4:54 p. m.

Fresno Order 7-F, covering fresh fruits and vegetables in the city of Merced, filed 4:55 p. m.

Phoenix Order 1-F, Amendment 2, covering fresh fruits and vegetables in the Tucson area, filed 4:49 p. m.

Seattle Order 6-F, Amendment 10, covering fresh fruits and vegetables in Seattle and Bremerton, Wash., filed 4:49 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 45-732; Filed, Jan. 11, 1945;  
11:27 a. m.]

## SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-66, 59-61, 59-35]

FEDERAL WATER AND GAS CORP., ET AL.

## ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 8th day of January, A. D. 1945.

In the matters of Federal Water and Gas Corporation and Subsidiary Companies, File No. 54-66; Federal Water and Gas Corporation and Subsidiary Companies, respondents, File No. 59-61, and New York Water Service Company, Federal Water and Gas Corporation, File No. 59-35.

New York Water Service Corporation, a subsidiary of Federal Water and Gas Corporation, a registered holding company, having filed applications and declarations in regard to a plan of recapitalization pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for the purpose of complying with provisions of section 11 (b) of the act and with the Commission's order dated February 10, 1943 directing New York Water Service Corporation and Federal Water and Gas Corporation to take certain specified steps to comply with the provisions of section 11 (b), and

The Commission having by order dated December 23, 1944 directed hearings be reconvened on said consolidated matters at 10:00 a. m., e. w. t., on January 23, 1945, at the office of the Commission in Philadelphia, Pennsylvania, and having further directed that New York Water Service Corporation give notice of this hearing to the holders of its \$6.00 Cumulative Preferred Stock (insofar as the identity of such security holders is known or is available to it) by mailing to each of said persons a copy of this notice and order for hearing at his last-known address at least fifteen days prior to the date of this hearing; and

New York Water Service Corporation having requested that the hearings so directed to be reconvened in said consolidated proceedings be postponed to March 1, 1945 or such date thereafter as suits the convenience of the Commission; and

The Commission deeming it appropriate under the circumstances that the request for postponement of the reconvened hearing be granted;

It is ordered, That hearings in this matter previously ordered to be reconvened on January 23, 1945 at 10:00 a. m., e. w. t., at the office of the Securities and

Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, be, and hereby is, postponed to March 6, 1945 at the same hour and before the same trial examiner as heretofore designated.

It is further ordered, That the time within which New York Water Service Corporation shall give notice to the holders of its \$6.00 Cumulative Preferred Stock of the previously scheduled hearing be, and hereby is, extended to at least ten days prior to March 6, 1945 and said notice shall be given by mailing to each of said persons at his last-known address a copy of the notice and order for hearing dated December 23, 1944 together with a copy of this order postponing hearing.

It is further ordered, That the time within which any person desiring to be heard or otherwise wishing to participate in said proceedings shall file his request or application therefor with the Secretary of the Commission as provided by Rule XVII of the Commission's rules of practice be, and the same hereby is, extended to March 3, 1945.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-776; Filed, Jan. 10, 1945;  
4:26 p. m.]

[File Nos. 54-116, 54-63, 59-61]

SCRANTON-SPRING BROOK WATER SERVICE CO., ET AL.

## NOTICE OF FILING AND ORDER FOR HEARING AND CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 8th day of January, A. D. 1945.

In the matters of Scranton-Spring Brook Water Service Company, Pennsylvania Water Service Company, Federal Water and Gas Corporation, File No. 54-116; Federal Water and Gas Corporation and subsidiary companies, file No. 54-66; Federal Water and Gas Corporation and subsidiary companies, Respondents, File No. 59-61.

I. The Commission having on February 10, 1943 entered an order (Holding Company Act Release No. 4113) approving, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, a plan filed by Federal Water and Gas Corporation ("Federal") a registered holding company, and its subsidiary companies, providing, among other things, that Scranton-Spring Brook Water Service Company ("Scranton") would be recapitalized in the event that its assets are not disposed of by sale, and directing, pursuant to section 11 (b) of the act, that Scranton shall take such steps as may be necessary to recapitalize so as to fairly and equitably distribute voting power among its security holders; that Federal and Pennsylvania Water Service Company ("Penn-

sylvania") shall take such action as may be necessary to cause Pennsylvania's elimination; and that Federal shall take such steps as may be necessary to divest itself of all interests held by it, directly and indirectly, in Scranton, providing that such divestment shall not be effected through the sale of securities owned by Federal prior to the recapitalization of Scranton in such manner as to provide for a fair and equitable distribution of voting power among Scranton's security holders (File Nos. 54-66 and 59-61)

Notice is hereby given that Scranton and Pennsylvania, joined by Federal, have filed with this Commission a plan pursuant to section 11 (e) of the act designed to enable Scranton and Pennsylvania to comply with the provisions of section 11 (b) of the act and with the aforesaid order of the Commission dated February 10, 1943.

All interested persons are referred to said plan, which is on file in the office of the Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

Scranton, a Pennsylvania corporation, operates water and gas utility properties, and, in addition, owns all of the common stock of Carbondale Gas Company, Wyoming County Gas Company, Scranton-Spring Brook Railroad Company, an inactive subsidiary, and 50% of the common stock of The Winton Water Company.

The security structure of Scranton, as of October 31, 1944, is detailed below:

	Principal amount or stated value
Long term debt:	
First mortgage and refunding bonds, 5%.	
Series A, due 1967.....	\$13,194,500
Series B, due 1961.....	2,078,000
Scranton Gas & Water Co., first mortgage 4½% bonds, due 1958 (assumed).....	10,961,000
The Spring Brook Water Supply Co., first refunding mortgage 5% bonds, due 1965 (assumed).....	7,800,000
Total long term debt.....	34,033,500
Special loan from Federal.....	1,446,502
Preferred stocks: <sup>1</sup>	
\$6 cumulative, no par value, 12,075 shares.....	*1,207,500
\$8 cumulative, no par value, 57,091 shares.....	*5,709,100
	6,916,600
Common Stock, no par value, 100,000 shares.....	5,000,000

<sup>1</sup> As of December 31, 1944 accumulated and unpaid dividends will aggregate \$792,421 or \$65.625 per share on the \$5 preferred stock and \$4,495,916 or \$78.75 per share on the \$6 preferred stock.

<sup>2</sup> Stated at involuntary liquidation preference of \$100 per share.

Federal owns 16,033 shares of Scranton's \$6 preferred stock (23.18% of combined outstanding preferred stocks) and has a "Special Loan" receivable from Scranton in the amount of \$1,446,502.

Pennsylvania, a Pennsylvania corporation, owns 1,024 shares of Scranton's \$6 preferred stock and all of Scranton's common stock; its only other asset

is a nominal amount of cash. Pennsylvania has outstanding 1,024 shares of \$6 cumulative preferred stock, no par value, having an involuntary liquidation preference of \$100 per share and accrued dividends (as of December 31, 1944, dividend arrears will amount to \$78.75 per share) and 123,000 shares of no par value common stock. Pennsylvania's entire outstanding common stock and 200 shares of its preferred stock are owned by Federal. Pennsylvania's only indebtedness is an amount of \$91,500 due to Federal.

The plan proposes the conversion of all of Scranton's outstanding preferred and common stocks and the Special Loan from Federal outstanding in the amount of \$1,446,502 into new common stock ("New Stock"), par value \$50 per share, the refunding of Scranton's long term debt, and the liquidation and dissolution of Pennsylvania. To achieve these objectives, the following steps are proposed:

1. The capital of Scranton will be reduced from \$12,100,000, represented by 58,925 shares of \$6 preferred stock (of which 1,834 shares are held in the Treasury) 12,075 shares of \$5 preferred stock, and 100,000 shares of common stock, to \$7,434,550, to be represented by 148,691 shares of New Stock (200,000 shares to be authorized) to be issued pursuant to the plan. The proposed reduction of capital, amounting to \$4,665,450, is to be credited to capital surplus. The New Stock will be issued on the following basis:

(a) Each share of Scranton's \$6 preferred stock held by the public, including dividends in arrears thereon, is to be exchanged for two shares of New Stock. Pursuant to this provision, 80,068 shares (53.85%) of New Stock will be issued in conversion of the 40,034 shares of Scranton's \$6 preferred stock held by the public;

(b) Each share of Scranton's \$5 preferred stock is to be exchanged for 1.77714 shares of New Stock. No fractional shares or scrip certificates are proposed to be issued to effect this exchange, but a cash adjustment will be made on the basis of the par value of the said new stock so that each holder of a right to receive a fractional share will obtain in cash the same fraction of \$50. Pursuant to this provision, there will be issued 21,457 shares (14.43%) of New Stock and cash payments estimated at \$98.27 will be made;

(c) Each share of Pennsylvania's \$6 preferred stock held by the public, including dividend arrears thereon, is to be exchanged for two shares of New Stock. Pursuant to this provision, 1,648 shares (1.11%) of New Stock will be issued in conversion of 824 shares of Pennsylvania's \$6 preferred stock held by the public; 824 shares of Scranton's \$6 preferred stock owned by Pennsylvania will be surrendered to Scranton for cancellation;

(d) Federal is to receive 45,518 shares (30.61%) of New Stock in consideration of the surrender to Scranton by Federal of all its interest in Pennsylvania and Scranton, consisting of (1) 16,033 shares of Scranton's preferred stock, (2) the

Special Loan indebtedness of Scranton in the amount of \$1,446,502, (3) 200 shares of Pennsylvania's \$6 preferred stock, (4) the non-interest bearing indebtedness of Pennsylvania in the amount of \$91,500, and (5) 123,000 shares of Pennsylvania's common stock.

2. Scranton, upon becoming the owner of all the stock and indebtedness of Pennsylvania, will cause the dissolution of Pennsylvania and will thereby receive all of Pennsylvania's assets consisting of all of the present common stock of Scranton, which will be cancelled.

3. Scranton proposes to issue and sell \$25,000,000 principal amount of 3½% First Mortgage Bonds to mature in thirty years and \$10,000,000 principal amount of 4¼% Debentures to mature in twenty years. The sinking fund in respect of the said 3½% Bonds will provide for the retirement of \$4,000,000 of such bonds by maturity and \$77,485 of such bonds during the first year. The sinking fund in respect of the said 4¼% Debentures will provide for the retirement of \$7,000,000 of such debentures by maturity and \$229,039 during the first year. The proceeds of the sale of said bonds and debentures will be used to redeem Scranton's long term debt, hereinabove described, outstanding in the principal amount of \$34,033,500. In this connection, the Plan states that "No opinion is expressed as to whether the existing bonds should be redeemed at par or whether Scranton should be required to pay the call premium on outstanding bonds; all questions in connection with this matter being expressly reserved."

The applicants request the Commission, if and when it enters an order approving the plan, to apply to an appropriate District Court of the United States in accordance with the provisions of sections 11 (e) and 18 (f) of the act to enforce and carry out the terms and provisions of the plan. The plan states that no provision is made for vote of stockholders in respect thereto.

II. The Commission being required by the provisions of section 11 (e) of the act, before approving any plan thereunder, to find, after notice and opportunity for hearing, that such plan, as submitted or as modified, is necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons affected by such plan; and

It appearing to the Commission that the proceedings in respect of the plan filed herein by Scranton, Pennsylvania, and Federal (File No. 54-116), and proceedings in respect of the plan heretofore filed by Federal and its subsidiary companies (File No. 54-66), and the proceedings instituted by the Commission directed to Federal and its subsidiary companies, respondents, pursuant to sections 11 (b) (1), 11 (b) (2), 15 (f), and 20 (a) of the act (File No. 59-61), involve common questions of law and fact and should be consolidated;

It is ordered, That such proceedings be and the same hereby are consolidated.

It is further ordered, That a hearing in respect of such consolidated proceedings under the applicable provisions of the act and the general rules and regula-



tions promulgated thereunder be held on February 26, 1945 at 11:00 a. m., E. V. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

*It is further ordered,* That Allen McCullen or any officer or officers of the Commission designated by it for that purpose shall preside at the hearings on such matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 of the act and to a trial examiner under the Commission's rules of practice.

Notice is hereby given of said hearing to the above named applicants, to the Pennsylvania Public Utility Commission, to the New York Trust Company, Trustee under the indentures securing Scranton-Spring Brook Water Service Company's First Mortgage and Refunding 5% Series "A" and "B" Bonds, to The First National Bank of the City of New York, Trustee under the indentures securing the Scranton Gas & Water Company First Mortgage 4½% Bonds and The Spring Brook Water Supply Company First Refunding Mortgage 5% Bonds, and to all interested persons, said notice to be given to said applicants and to the Pennsylvania Public Utility Commission, the New York Trust Company, Trustee, and the First National Bank of the City of New York, Trustee, by registered mail, and to all other persons by publication of this notice and order in the FEDERAL REGISTER. It is requested that any persons desiring to be heard in these proceedings shall file with the Secretary of this Commission on or before February 21, 1945 an appropriate request or application to be heard, as provided by Rule XVII of the Commission's rules of practice.

*It is further ordered,* That Scranton and Pennsylvania shall give additional notice of said hearing to all of their security holders (insofar as the identity

of such security holders is known to them) by mailing to each of said persons a copy of this notice and order at his last known address at least thirty days prior to the date of said hearing.

*It is further ordered,* That without limiting the scope of the issues presented by said plan under section 11 (c) and otherwise to be considered in these proceedings, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the plan as proposed, or as it may be hereafter modified, is necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons affected thereby.

2. Whether the proposed allocations of New Stock of Scranton to the public holders of Scranton's \$5 and \$6 preferred stocks, to the public holders of Pennsylvania's \$6 preferred stock, and to Federal, are fair and equitable, and, if not, what allocations thereof would be fair and equitable.

3. The origin of and circumstances relating to the creation of Scranton's Special Loan from Federal, which on October 31, 1944 amounted to \$1,446,502, and the manner and circumstances under which Federal acquired its direct and indirect holdings of Scranton's \$6 preferred stock.

4. The rank and participation which should be accorded Federal on account of its "Special Loan" to Scranton and its direct and indirect holdings of Scranton's \$6 preferred stock and specifically whether Federal should be subordinated to, in whole or in part, or otherwise not be permitted to participate on a parity with, public investors of Scranton.

5. Whether the securities to be issued by Scranton in connection with the proposed plan are appropriate in nature and reasonably adapted to the security structure and earning power of Scranton and whether any terms and conditions should be imposed in connection therewith.

6. Whether in regard to the proposed retirement of the several issues of outstanding bonds issued or assumed by

Scranton the respective redemption premiums should be paid.

7. Whether the fees and expenses to be paid in connection with the plan and related proceedings are reasonable and appropriate.

8. Whether the plan should be modified to include a provision for the payment by the parties thereto of such fees and expenses in connection with the plan and related proceedings as the Commission may determine, award, or allow.

9. Whether the accounting entries proposed to be made in connection with the plan are proper and in accordance with sound accounting principles.

10. Whether, in the event that the Commission shall approve such plan as filed or as modified, the Commission shall approve such plan for purposes of section 11 (d) of the act (as well as section 11 (e)) so as to permit the Commission of its own motion and irrespective of any request therefor on the part of Scranton, Pennsylvania, and Federal, to apply to a court for the enforcement of such plan pursuant to section 11 (d).

11. Whether, in the event that the Commission shall not approve such plan as filed or as modified, the Commission shall itself propose and approve a plan for purposes of section 11 (d) or shall approve for purposes of section 11 (d) any plan that may be proposed by any person having a bona fide interest in the reorganization of Scranton or in the liquidation of Pennsylvania.

12. To what extent, if any, the proposed plan should be modified or amended to render it feasible and fair and equitable to the persons affected and what terms and conditions, if any, should be imposed in the public interest or for the protection of investors and consumers.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[P. R. Doc. 45-777; Filed, Jan. 10, 1945; 4:39 p. m.]

